

MINUTES OF THE 87TH MEETING OF MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY (MCZMA) ON 20TH AND 21ST JANUARY 2014

The 87th meeting of the MCZMA was held under the Chairmanship of Principal Secretary (Environment) on 20th and 21st January 2014 at 11.00 am at Sachivalay Gymkhana, Mumbai. List of Members present in the meeting is enclosed as Annexure-I

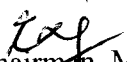
Item No. 1: Confirmation of Minutes of the 86th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA)

The Authority noted that the draft minutes of the 86th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 27th November 2013 were circulated to all members of MCZMA through email for confirmation. The members were requested to provide suggestions/ objections, if any, on draft minutes. Expert members & Chairman suggested some changes in draft minutes. Accordingly, draft minutes were corrected incorporating the changes appropriately. Corrected draft minutes were confirmed by the Authority.

Item No. 2: Proposed construction of RCC Nalla from Laxmi Park towards Khadi (Part-II) by Mira Bhayander Municipal Corporation.

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. Proposed construction of RCC Nalla from Laxmi Park towards Khadi (Part-II) at S. No. 270, Part mauje Navghar is by MBMC.
2. As per submitted information the plot under reference falls in CRZ- III area.
3. As per the submitted information the plot under reference falls in public/ semi public zone.
4. The MCZMA vide letter dated 11.8.2013 requested MBMC for certain information; accordingly, MBMC submitted its point wise reply vide letter dated 5.12.2013.
5. CRZ map superimposing with project layout has been submitted and as per the said CRZ map, proposed construction of RCC Nalla falls in CRZ – III area along the HTL.
6. Details of proposed construction of Nalla:
 - Total length of Nalla : 589 m
 - Width of Nalla : 3 & 4 m
 - Height of Nalla : 2.75 m
 - Length of permission of Nalla : 190 m
7. Purpose of construction / renovation of the existing Nalla:
 - To improve the hygienic condition adjoining to Nalla,
 - To carry out maximum discharge during monsoon,
 - To avoid water logging,


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- To facilitate day to day cleaning and
- To beautify the surrounding area.


The Authority observed that MBMC has proposed the RCC Nalla, for carrying the storm water drainage from the surrounding low lying area to the Main creek to avoid water logging problems. Total Length of proposed Nalla is 589 m. Proposed Nalla will have outfalls in creek-let, which will finally meet Main creek at about distance of 200m. The Authority felt that construction of Nalla may divide the mangrove patches existing along the small creek-let leading to its degradation. The Authority after deliberations decided to make a site visit to the spot.

Item No 3: Proposed construction of Nalla & market at Uttan by Mira Bhayander Municipal Corporation.

Project proponent presented the proposal before the Authority. The Authority noted the followings:

1. The Mira Bhayandar Municipal Corporation (MBMC) forwarded the proposal regarding above mentioned subject vide its letter dated 9.1.2013.
2. Construction of Nalla & market at S.No. 31, Uttan village by MBMC is proposed.
3. As per the submitted information the plot under reference falls in Nalla / water bodies.
4. As per submitted information the plot under reference falls in CRZ- I (ii) i.e. non mangrove intertidal area.
5. The MCZMA vide letter dated 11.9.2013 requested MBMC for certain information. Accordingly, MBMC submitted its point wise reply vide letter dated 5.12.2013.
8. CRZ map superimposing with project layout has been submitted. As per the said CRZ map, proposed construction of RCC Nalla falls in CRZ – I(ii) area.
9. Details of proposed construction of Nalla & market: -
 - a. Total Length of Nalla & market : 100 m
 - b. Width of Nalla : 15 m
 - c. Height of Nalla : 3 m
 - d. Length of permission of Nalla & market : 100 m
10. Purpose of construction / renovation of the existing Nalla & market:
 - The portion of Nalla passing through market area will be utilized by providing slab / covered for market purpose,
 - To improve the hygienic condition adjoining to Nalla,
 - To carry out maximum discharge during monsoon,
 - To avoid water logging,
 - To facilitate day to day cleaning and
 - To beautify the surrounding area.


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The Authority noted that MBMC has proposed construction of Nalla & redevelopment of market at S. No. 31, Uttan village. Total Length of Nalla proposed is 100 m. Nalla will be trained and covered for about 100m. Existing road which is at present highly congested will be widened by shifting the revamped old fish market on the Nalla covered from the top.

The Authority observed that shifting of fish & meat market on the Nalla by covering it, is not permitted as it would preclude access for easy maintenance of the Nalla. Nalla should be kept open for its easy maintenance. MBMC may propose a bridge on Nalla which will serve as one way road for the public. The existing road abutting fish & meat market will serve as one way road for opposite traffic. MBMC need to submit the revise proposal accordingly.

After detailed discussion and deliberation the Authority decided to make a site visit to the spot.

Item No. 4: Regarding construction of elevated connector from Sewri to Worli (East-West Corridor) for Mumbai Trans Harbor Link (MTHL) Dispersal.

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The MMRDA is implementing elevated connector project from Sewri to Worli (East - West Corridor) for Mumbai Trans Harbor Link (MTHL) Dispersal.
2. The proposed alignment for an elevated corridor, Sewri - Worli Connector (East - West Corridor) is starting from Sewri (East) on P.D. Mello Road and ends at Worli to facilitate connection to Bandra - Worli Sea Link.
3. The Sewri - Worli elevated corridor runs along Acharya Donde Marg, J. Bhatnagar Marg, Drainage Channel Road and Narayan Hardikar Marg (near New Prabhadevi Road)
4. Proposed elevated Sewri - Worli corridor falls within 500m from HTL i.e. (in CRZ II area) at the both end points and the coastline.
5. Further, the MMRDA has submitted the EIA report.

The MCZMA vide its letter dated 09.10.2013 sought information on certain points from the Chief Engineer, MMRDA in the subject matter. Accordingly, the Chief Engineer, forwarded his reply vide letter dated 09.11.2013 on points raised by MCZMA.

Reply of the Chief Engineer, MMRDA to MCZMA is as follows:

- a. CZMP map with superimposing of the project layout prepared by IRS, Chennai in 1:4000 scale is submitted. As per the said CZMP map, the proposed elevated Sewri - Worli Corridor is partly falls in CRZ II area and partly in Non CRZ area.
- b. Details of area of proposed elevated connector from Sewri to Worli as follows;


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S. N	Description	Length (in M)	No. of Piers proposed	Total Area (in Sq m)	CRZ Area (in Sq m)		Non CRZ Area (in Sq m)
					Sewri Side	Worli Side	
1	Main Corridor from Sewri to Worli						
	a) Viaduct Portion	4260	169	66980	0	2052	64928
	b) Solid Ramp Portion (Worli Side)	247		3853	0	3853	0
	Sub - Total (Main Corridor)	4507	169	70833	0	5905	64928
2	Ramp Portion						
	Ramp A1 (Sewri Side) (From R.A Kidwai Marg to Elevated Corridor)						
	a) Viaduct Portion	470	19	3902	0		3902
	b) Solid Ramp Portion	210		1680	0		1680
	Ramp B1 (Sewri Side) (From Elevated Corridor to R. A Kidwai Marg)						
	a) Viaduct Portion	475	19	3800	0		3800
	b) Solid Ramp Portion	205		1640	0		1640
	Sub - Total (Ramp Portion)	1360	38	11022	0		11022
	Total	5867	207	81855	0	5905	75950

The Authority noted that proposed elevated corridor is the intermediate elevated road between Mumbai Trans Harbour Link (MTHL) and Bandra Worli Sea Link (BWSL).

The project aims for MTHL's traffic dispersal within the Mumbai city. MTHL traffic coming from Navi Mumbai region would be passed through proposed elevated corridor starting from Sewri end to Worli end, and then connected to BWSL.

The Authority observed that the proposed corridor has only one landing point, which is at Worli sea face area for further connectivity to Bandra - Worli Sea Link. Traffic problems will be exacerbated due to landing at Worli sea face area, leading to severe traffic congestion and increased air pollution problems in the area. It was further noted that Mr. Dilip Nevatia, resident of Worli Sea face has filed a PIL before the NGT pertaining to air pollution and traffic congestion problems due to Bandra Worli Sea Link itself.


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The Authority opined that there is need to explore other possibilities to connect the road to internal city roads to decongest the traffic at Worli sea face area. PIL filed by Mr. Dilip Nevatia before NGT need to be studied by MMRDA to address the problems of traffic congestion at Worli sea face and air pollution problems due to increased traffic.

After detailed discussion and deliberation, the Authority suggested the following:

- a. MMRDA to explore other possible alternatives of the proposed elevated road to other internal city road to decongest the traffic at Worli sea face area and come up with alternate proposals to reduce the traffic congestion there.
- b. MMRDA to conduct wider public consultation for residents of Worli sea face area, considering the impact on environment at this location due to proposed elevated corridor and submit the report to Authority.
- c. MMRDA to submit the detailed study report on impact of the project on air quality at Worli sea face area.
- d. MMRDA to submit traffic dispersal plan at Worli sea face end of the project.

Item No 5: Proposed reconstruction of fish / meat market building on plot bearing S. No. 71 (117), Hissa. No. 1, S. No. 69 (208), Hissa No. 1A/1, CTS No. 1816 to 1818 of Village Murud Janjira, Dist. Raigad by Murud Janjira Municipal Council

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The proposal is for reconstruction of fish /meat market building on plot bearing S. No. 71 (117), H. No 1, S. No. 69 (208), H. No. 1A/1, CTS No. 1816 to 1818 of Village Murud Janjira, Dist. Raigad, Murud Janjira Municipal Council.
2. As per submitted information, the existing building is about 100 years old & is proposed to be demolished.
3. Proposed Building comprises of a ground floor.
4. As per Sanctioned Development Plan, the plot under reference is reserved for Fish Market (Reservation No. 30)
5. As per the CZMP of Murud Janjira Municipal Council area, the plot under reference falls in CRZ II.
6. FSI Details, as per layout plan submitted by project proponent-

Sr. No.	Particulars	Area in Sq m
1	Total Plot Area	2300
2	Permissible Ground Area	360
3	Proposed Ground Floor Area	368.13


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7. MCZMA vide its letter dated 30.09.2013 sought information on certain points from the Chief Officer, Murud - Janjira Municipal Council in the subject matter. The Chief Officer, Murud - Janjira Municipal Council, forwarded their reply vide letter dated 13.11.2013 on points raised by MCZMA.
- CZMP plan showing site under reference is submitted.
 - As per development plan / regional plan existing and enforce as on 19.02.1991, the land under reference is in commercial zone and reserved for the Fish Market and Mutton Market.
 - The proposal is for reconstruction of fish /meat market by demolition of existing structure.
 - Present use of existing structure is for commercial use.
 - Google Image showing the site under reference is submitted.

Proponent informed that the proposal involves construction of fish and meat market, cold storage, toilet blocks. There is existing temporary shed for the market. The Authority suggested that there should be specific plan for the treatment of waste water of proposed fish / meat market. Waste water & solid waste should not be released into the sea, considering the pollution potential of the waste. The Authority further observed that slaughter house activity of fish/meat cannot be allowed in CRZ area.

The Authority after detailed discussion and deliberation decided to recommend the proposal pertaining to redevelopment of fish/meat market without slaughtering activities, cold storage activity and toilet block facility only to concerned planning Authority from CRZ point of view subject to following conditions-

- The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
- Reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
- The concerned planning authority should ensure that there is no change of present use for the proposed redevelopment of existing authorized building.
- The concerned Planning authority should ensure that FSI, lay out plan, height involved in the proposal is as per town and country planning regulations existing as on 19.2.1991
- Slaughter house activity of meat / fish is not allowed.
- Any waste water & solid waste should not be released into the sea.
- Solid and liquid waste from fish/meat market, cold storage activity should be treated scientifically and the effluent treatment plant & solid waste management system should be located outside CRZ area.
- All other required permission from different statutory authorities should be obtained prior to commencement of work.


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Item No 6: Proposed reconstruction of Godown on S. No. (48) 119 H. No. 1C, CTS No. 596 mauje Murud, Tal- Murud, Dist- Raigad


Project proponent presented the proposal before the Authority. The Authority noted the followings:

1. The proposal is for reconstruction of LPG gas godown on S. No. (48) 119, H. No. 1C, CTS No. 596 Mauje Murud, Tal. Murud, Dist. Raigad
2. The Murud-Janjira Municipal Council vide letter dated 6.7.2013 mentions, as per sanctioned development plan the plot under reference falls in residential zone.
3. As per the CZMP of Murud-Janjira Municipal Council area, the plot under reference falls in CRZ II.
4. The Murud-Janjira Municipal Council's letter dated 6.7.2013 mentions that, the plot under reference is situated on landward side of the existing road.
5. FSI Details, as per layout plan submitted by project proponent are as follows-
 - Area of the plot as per 7/12 – 1040 sq m
 - Permissible FSI – 1.00
 - Permissible Floor Area – 1040 sq m
 - Proposed BUA – 71.9 sq m
6. The Chief Officer, Murud-Janjira Municipal Council, forwarded their point wise reply vide letter dated 19.11.2013 on points raised by MCZMA vide letter dated 13.11.2013.
 - a. The plot bearing CTS No. 596, 119, H. No. 1C is the existing supari & fertilizer godown existing from 1989 as per Municipal records.
 - b. The plot under reference is in Residential Zone and 1.00 FSI is permissible.
 - c. The proposed construction of LPG gas godown is by demolishing existing structure.
 - d. Google Image showing the site under reference is submitted.

The Authority noted that the complaint regarding above mentioned subject was forwarded through email dated 4.6.2012 from Shri. Juman Khanzada to the MCZMA, it was alleged that the proposed construction of Godown is in residential premises of Ganesh Ali which do not have the necessary infrastructure. The complainant has requested to stop construction in coastal zone as it is a hazardous activity for coastal belt without adequate infrastructure.

After discussion, the Authority decided to direct the project proponent to submit the reply given to Explosive department against the show cause notice served to proponent. The matter shall be taken up for consideration, only after Explosive Dept decides the matter on the show cause notice issued to proponent.


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Item No. 7: Proposed Construction of administrative building and married accommodation for operating staff, military engineering services offices for Indian Coast Guard Station on land bearing Survey No. 202/2 and 203/2 at Mauoje Chikhali, Tal. Dahanu, Dist. Thane (Defense Project)

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Town Planning, Palghar Branch has forwarded the proposal of 'new construction of administrative building and married accommodation for operating staff, military engineering services offices for Indian Coast Guard Station' on land bearing Survey No. 202/2 and 203/2 at Mauoje Chikhali, Tal. Dahanu, Dist. Thane comprises of Ground + 2 upper floors and Stilt + 2 upper floors. It is a Defense Project.
2. As per the Regional Development Plan of Dahanu Taluka, the plot under reference is in Waste Land / No Development Zone.
3. As per the approved CZMP of Dahanu, the plot under reference falls in CRZ III and situated on landward side of existing Dahanu-Bordi Road MSH 4 and within 200m to 500m from HTL.
4. The total area of plot is 80000.00 sq m
5. FSI Details, as per the layout submitted by the project proponent,
 - Total area of land – 80000.00 sq m
 - (S. No. 202/2 + S. No. 203/2) – (34600.00 sq m + 45400.00 sq m)
 - Permissible FSI – 0.05
 - Allowed open space (10%) – 8000.00 sq m
 - Proposed open space – 8333.09 sq m
 - Proposed amenities (5%) – 4000.00 sq m
 - Proposed BUA of Ground Floor – 598.20 sq m
 - Proposed BUA of First Floor – 1087.37 sq m
 - Proposed BUA of Second Floor – 1087.37 sq m
 - Total Built up Area – 2877.65 sq m
 - FSI proposed to be consumed – 0.035

The Authority noted that as per para 4 (ii) (b) of CRZ Notification, 2011, following activities shall require clearance from MoEF:

“construction activities relating to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as, slipways, jetties, wharves, quays; except for classified operational component of defence projects. Residential buildings, office buildings, hospital complexes, workshops of strategic and defence projects in terms of EIA notification, 2006”.

The Authority noted that the project involves construction of administrative building and married accommodation for operating staff, military engineering services offices for Indian Coast Guard Station which is proposed in CRZ III area (200 m to 500 m


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from HTL of the Sea). Proponent presented that proposed project is required at the site of coast guard station for effective vigilance and security purposes.

Authority observed that it is a part of defense project which aim to strengthen the coastal security and requires prior CRZ clearance from MoEF.

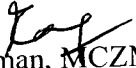
The Authority decided to recommend the project from CRZ point of view to MoEF subject to following conditions-


1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Project should confirm the local town and country planning regulations.
3. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 8: Proposed Transit Building on plot bearing F.P. No. 566 A, 566 B1 to B5, 568 A & 568 B of TPS Mahim III in G/ North ward for SWM Staff Quarter of MCGM (Ashray Yojana)

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. As per MCGM Letter dated 27.9.2013, Proposal is for construction of Temporary Transit for rehabilitation of tenants from SWM staff quarters in non CRZ area of plot bearing F.P. No. 566A, 566B1 to B5, 568A & 568B of TPS Mahim III in G/ North ward for SWM Staff Quarter of MCGM (Ashray Yojana).
2. The proposal consists of 5 nos. of Temporary Transit Building accommodating 335 nos. of tenants.
3. Each building is of Ground + 4 storey with floor height of 2.90 m with plinth of 0.60m above ground level and total height of building 15.10m.
4. Site is partly encumbered by slums. The said transit buildings are proposed in vacant land.
5. The MCGM vide letter dated 27.9.2013 mentions, the land under reference is partly reserved for Dhobighat & partly for housing as per DP of 1967.
6. The MCGM vide letter dated 9.4.2013 mentions, the land under reference falls in Residential Zone and reserved for conservancy staff housing as per current DP.
7. Project proponent has submitted approved CZMP of Mumbai showing the site under reference.
8. As per remarks and DP of MCGM vide letter dated 10.6.2013, the land under reference is partly falls in CRZ – II area and partly in non CRZ area.
9. FSI details, as per layout plan submitted by project proponent,
 - Total area of Plot – 9811.91 Sq m
 - Permissible FSI – 1.33
 - Permissible BUA – 13049.84 Sq m


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- Area of existing Slum,
 - Slum No. 1 – 510.00 Sq m
 - Slum No. 2 – 362.00 Sq m
 - Slum No. 3 – 1140.00 Sq m
- Area of existing garage – 1672.00 Sq m
- Area of Existing Toilet – 33.25 Sq m
- Proposed BUA of Transit Camp – 8215.20 Sq m
- Total BUA – 11932.45 Sq m
- FSI Consumed – 1.22

The Authority noted that construction of temporary transit camp is proposed in non CRZ portion of plot. However, FSI of CRZ portion plot is proposed to utilize on non-CRZ portion of plot.

After deliberations it was decided to recommend the proposal from CRZ point of view to concerned planning authority subject to following conditions:

1. No construction should be undertaken in CRZ portion of plot.
2. The FSI of CRZ portion of the plot should be allowed to utilize as per DCR of 1967 which was existing as on 19.2.1991 (ie normal captive FSI) on the non-CRZ portion of the same plot.
3. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No 9: CRZ permission for Surya Regional Water Supply Scheme for Bulk Water Supplies to Western Sub-Region of MMR near Vasai Creek – MMRDA

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Mumbai Metropolitan Regional Development Authority (MMRDA) has forwarded the proposal for laying water supply pipeline from Surya Dam to provide water supply of 218MLD to Mira – Bhayandar Municipal Corporation(MBMC) and 185 MLD of water to Vasai – Virar Municipal Corporation (VVMC)
2. The proposed project comprises of intake well, Membrane Bioreactor (MBR), Water Treatment Plant (WTP) at Surya Nagar and pipeline along the National Highway No. 4.
3. Three tunnels are proposed for crossing water bodies and railway tracks enroute. The length of tunnel in CRZ III area of VVMC is 42 m & 60 m in CRZ III area of MBMC.
4. The Vasai Creek Bridge is having length of 555.32m and two parallel bridges having width of 10m each total width is 20m. It is proposed to provide tunnel on the west side of bridge nearly 40m away from bridge having finished diameter of 2.0m length is 880m.


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5. The location of Tansa River crossing will be at 19°29'34" N and 72°54'29" E on seaward side of the bridge of NH 8 on Tansa River. It is also possible to provide pipeline 5m below the bed level / scour level by doing open excavation. Working is to be restricted in low tide period. Pipe will be encased in rich concrete in river section. Open excavation is feasible and economical option.
6. The location of Vaitarna River crossing will be at 19°42'43" N and 72°55'50" E. on west side of the bridge of NH 8 on Vaitarna River. It is proposed to provide pipeline 5m below the bed level / scour level of river by doing open excavation. Pipe will be encased in rich concrete in river section. Open excavation is feasible and economical option.
7. As per the CZMP of Mira Bhaindar Municipal Corporation, the plot falls in CRZ I & III.
8. The total length of plot is 113.00km. 403 MLD of water supply from Surya River to VVMC & MBMC.
9. Proponent submitted rapid EIA with Environment Management Plan.


The Authority observed that it is an infrastructure project, aiming for water supply to Mira Bhayandar & Vasai Virar region.

The Authority deliberated on the proposal and noted that as per para 4(ii) of CRZ Notification, 2011, laying of pipeline, requires prior CRZ clearance from MoEF.

The Authority decided to recommend the proposal to MoEF subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF time to time.
2. The material excavated (soil debris) will be re-used for backfilling purposes/dispose to authorized waste disposal site outside CRZ area.
3. Water treatment plant shall be located in Non CRZ area.
4. Five times the number of mangroves destroyed/cut during the construction process should be replanted. The plan for the same shall be submitted to MCZMA.
5. Hon'ble High Court permission is mandatory, if construction activity is in mangroves or its 50 m buffer zone area.
6. All the other mandatory permission from different statutory authorities should be obtained prior to commencement of work


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Item No 10: Proposed development of Fire Station Building on plot bearing Gut No. 61/2C at village Kharigoan (Kalwa), Dist. Thane

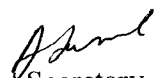
Project proponent presented the proposal before the Authority. The Authority noted the following:

1. As per the Municipal Corporation of City of Thane letter dated 6.12.2013, the proposal for development of Fire Station Building in lieu of TDR on plot bearing Gut No. 61/2C at village Kharigoan (Kalwa), Dist. Thane.
2. As per current Development plan of Thane Municipal Corporation approved in 1991 & 1995, the plot is in residential zone and reserved for Fire Brigade No. 1.
3. Revised Development Plan of Thane Corporation was not sanctioned as on 19.2.1991, so at that time the development plan of K.C.N.A approved by Government under notification no. TPS-1284/116/CR - 90/ UD - 12 dated 16/10/90 was in force. As per this development plan, the plot falls in residential zone and not under any reservation.
4. As per the approved CZMP of Thane, the plot falls in CRZ II and situated on the landward side of the existing road prior to 19.2.1991.
5. The total area of plot is 5100.00sqm.
6. The Municipal Corporation of City of Thane has forwarded the proposal for Fire Station Building in lieu of TDR on plot bearing Gut No. 61/2C at village Kharigoan (Kalwa), Dist. Thane comprises of 2 residential buildings for staff, 1 commercial building for officers of TMC / Fire Brigade and 1 building for Fire Station.
 - Building No. 1 comprising of Stilt + 4 upper floor levels for residential use.
 - Building No. 2 comprising of Stilt + 4 upper floor levels for residential use.
 - Building No. 3 comprising of Ground + 3 upper floor levels for Dormitory, Parking, Control Room, Gymnasiums and offices.
 - Building No. 4 comprising of Ground + 4 upper floors for Fire Station, Parking and allied uses.
7. As per the layout plan submitted by the project proponent:
 - Total Area of Plot - 5100.00sqm
 - Permissible FSI - 0.75
 - Net area of the plot - 5100.00sqm
 - Permissible built up area - 3825.00sqm
 - Proposed total built up area - 3808.51sqm
 - Proposed to be consumed FSI - 0.73
 - Balance area - 16.49sqm
 - Built up area claimed free of FSI and Stilt - 636.61sqm

Area Statement:

Building Nos.	Floors	Built up Area (in sq m)	Total Built up Area
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		Residential	Commercial	(in sq m)
1	Stilt + 4 upper floors	726.13	-	726.13
2	Stilt + 4 upper floors	413.35	-	413.35
3	Ground + 3 upper floors	-	2470.58	2470.58
4	Ground + 4 upper floors	-	198.45	198.45
Total Area		1139.48	2669.03	3808.51

The Authority observed that the proposal involves construction of Fire station building for Thane Municipal Corporation in lieu of grant of TDR on subject plot. Proponent requested MCZMA's approval for grant of TDR as a compensation tool.

The Authority observed that grant of TDR of the plot is outside the purview of CRZ Notification, 2011 and it is a town and country planning issue and Urban Development Department and concerned planning authorities needs to address the said issue. The Authority decided to communicate the said stand of MCZMA to UDD and TMC.

The Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions-

1. This CRZ recommendation is only for the proposed construction on subject plot as per town and country planning regulations existing as on 19.2.1991.
2. This CRZ recommendation should not be considered as an approval for grant of TDR of plot, since the grant of TDR is a town and country planning issue.
3. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
4. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
5. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.


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6. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
7. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No.11: Proposed redevelopment of existing cessed building on plot bearing F.P. No. 879 TPS-IV, Mahim Division, at S.K. Bole Road, Dadar, Mumbai

Project proponent presented the proposal before the Authority. The Authority noted that the proposal was considered in 78th & 81st meetings of MCZMA held on 3.11.2012 and 26.4.2013 respectively. The Authority noted the decision taken in previous meeting:

The Zonal remark of MCGM dt. 01.04.2009 mentions that as per revised DP sanctioned in 1993 the plot under reference is in residential zone and partly designated for the Municipal Primary School. The proposed building comprises of 1st to 2nd floor for school user. MCGM letter dated 29.6.2013 mentions that there is Municipal Marathi School & Gujarati School.

Authority observed that that there is a demolition and construction of school building involved in the proposal. As per para 4(ii) of CRZ Notification, 2011, such activity needs prior CRZ clearance from MoEF.

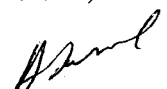
Proponent pointed out that the Ministry of Environment and Forests (MoEF) has issued CRZ Clearance vide letter No. 11-83/2007-IA-III dated 29.5.2008 for the said project with FSI 2.00 under CRZ Notification 1991. Said CRZ clearance of MoEF has considered the construction of school building on subject plot. Hence, the matter needs not to be sent to MoEF again. After deliberation, the Authority decided that the proposal should be regulated at the MCZMA level only.

Authority further deliberated upon the permissible FSI for the project as the project involves commercial components also. After detailed discussion and deliberations the Authority decided to get the written clarification from the MCGM / MHADA whether the incentive FSI of 2.5 under DC reg No. 33(7) of DCR 1991 is applicable to commercial components involved in the proposal.

Item No 12: Proposed redevelopment of property bearing C.S. No. 763 of Malabar Hill Division, situated at 61B, Bhulabhai Desai Road, 'D' Ward, Mumbai

1. Municipal Corporation of Greater Mumbai vide letter dated 4.12.2012 forwarded a proposal of "redevelopment of property bearing NO. 763 of Malabar Hill Division, situated at 61B, Bhulabhai Desai Road, 'D' Ward, Mumbai" to MCZMA.


Chairman, MCZMA


Member Secretary, MCZMA

2. Redevelopment is of the existing 'A' category cessed building in accordance with para 8.V (C) of CRZ Notification, 2011 (DC Reg No. 33(7)).
3. The MCGM letter dated 4.12.2012 mentions that as per sanctioned revised development plan the plot under reference falls in residential zone and affected by 12.20 m wide DP road.
4. As per approved CZMP of Mumbai, plot under reference falls in CRZ II and is situated on landward side of existing road.
5. Copy of MCGM letter dated 4.10.2010 submitted mentions that property situated at 61B, Bhulabhai Desai road falls under category 'A' (R & NR) as per office records.
6. As per MCGM letter dated 4.12.2012 proposed construction involves 2 level basement + ground + 1st to 6th parking floors + 7th parking floor (Double height stack parking) + 8th level (part refuge + part service) + 1st to 14th habitable floors (total height – 69.55 m up to terrace level slab)
7. M.B.R.R.B. of MHADA unit has issued NoC dated 31st Dec, 2011 for proposed redevelopment with FSI 2.50 or FSI required for rehab of existing occupiers plus 50% incentive whichever is higher.
8. MCGM vide letter dated 25.10.2013 issued IOD in the proposal.
9. FSI details, as per the building plans submitted along with IOD (25.10.2013)
 - Area of plot- 576.93 Sq m
 - Road setback- 82.45 Sq m
 - FSI permissible – 2.50
 - Permissible floor area – 1442.32 Sq m
 - Total built up area Proposed – 1441.08 Sq m


As per MCGM remarks dated 4.12.2012, area of staircase, lift, lift lobby, balcony, passages is taken as free of FSI.

10. Public hearing was conducted on 11.5.2012 by MPCB, report of which was submitted, suggests to include:

- Grey water treatment – for treatment of kitchen waste water and
- Solar panel for water heating purpose

Project proponent informed that the present use of the existing building is Residential + Non-Residential. There is a small dispensary in the building. The Authority noted that *as per para 4(ii)(i) of CRZ Notification, 2011 demolition and reconstruction of building for the purpose of 'medical care' requires prior CRZ clearance from MoEF.*

However, this redevelopment proposal is governed by para 8. v (c) i.e redevelopment of dilapidated, cess and unsafe building, wherein there is no condition of ' redevelopment without change in present use', and hence the clause 4(ii)(i) of CRZ Notification, 2011 mentioned above will not apply.


Chairman, MCZMA


Member Secretary, MCZMA


The Authority after deliberations decided to recommend the proposal from CRZ point of view under provisions 8.v.(c) & 4(ii)(i) of CRZ Notification, 2011 to MoEF subject to strict compliance of the following conditions:

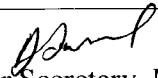
1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. The concerned Planning authority should ensure that FSI, lay out plan, height involved in the proposal is as per town and country planning regulations existing as on 6.1.2011.
3. The MCGM should ensure that FSI, Non-FSI and concessions granted by Municipal Commissioner, if any, is strictly as per the provisions of DCR existing as on 6.1.2011.
4. Project proponent should implement green initiatives such as rainwater harvesting system for ground water recharge, solar panel for generation of renewable energy for captive consumption.
5. All other mandatory permissions from different statutory authorities should be obtained prior to the commencement of work

Item No.13: Proposed development of plot bearing C.T.S. Nos. B/736, B/337, B/338, B/339, & B/743 of village Bandra at Bandra (West), Mumbai

The Authority noted that earlier, the proposal was deliberated in 78th meeting of the MCZMA held on 3rd November, 2012. The details of the proposal and decision taken in 78th meeting are as follows:

Proposal Category	Development of residential building
Location of the Project	C.T.S. Nos. B/736, B/337, B/338, B/339, & B/743 of village Bandra at Bandra (West), Mumbai
Existing Structure Details:	Existing building comprising of stilt + 7 th upper floors to be retained for which O.C. is granted on 18.10.1980
Proposal Details	The proposal is proposed development of residential building comprising of Basement for parking + ground floor for entrance lobby + 4 level podiums + 5 th + 6 th (incl. refuge area) + 7 th + 8 th + 9 th (pt.) upper floor for residential use in lieu of balance plot potential on plot under reference and by retaining the existing society building of stilt + 7 upper floors.
Details of the project site, a) CRZ Category b) Project site	As per the approved CZMP of Mumbai and the MCGM vide letter dt. 11.6.2012, the plot under reference is located in CRZ II and on the landward side of the existing 52.00 m. wide B.J. Road.
DP Remarks,	As per the DP remarks of the MCGM vide letter dt. 15.5.2010, the land under reference is situated in residential zone and not reserved for any public purpose.


Chairman, MCZMA


Member Secretary, MCZMA

FSI Details,	1. Total area of plot = 1533.50 Sq m 2. Permissible FSI = 1 3. Permissible floor area = 1533.50 Sq m. 4. Existing floor area (Vinaper Castle) = 969.43 Sq m 5. Proposed area = 562.26 Sq m 6. Excess balcony taken in FSI = 1.01 S qm 7. Total Built up area = 1532.70 S qm.			
Area Details,	Building	Total Construction area (Sq.m.)	Built up area for FSI purpose (Sq.m.)	BUA claimed free of FSI for purpose like basement, stilt parking, staircase, lifts, balcony, etc sqm.
	Residential Building	3364.88	563.27	2801.61
Proposed height of the structure	38m			

During 78th meeting, the Authority felt that the matter attracts the interpretation of provision of GR dated 12th July, 1979 under rule No. 36H(v) of DCR, 1967. Therefore, the Authority after deliberation decided to direct the project proponent to get the approval of Municipal Commissioner for the proposal and revert to the Authority.

The MCGM vide letter dated 1st Oct, 2013 submitted the following:

1. Copies of the concessions approved by the Municipal Commissioner (MC) for bldg u/r and the IOD granted by the MCGM.
2. Stilt floor comprising of Society office, UG tank, pump house, sub-station, car lifts and a space for stack parking
 - 1st& 2nd floor level for parking
 - 3rd to 5th floor level for Residential apartments
 - 6th floor level as terrace with 1.5 m raised swimming pool with its plant room etc below.
 - Lift m/c room and over head water tank above staircase well are present.
 - The building is having height of 24 m from finished Ground level to terrace level
 - Built up area for FSI purpose- 528.49 Sq m
 - Free of FSI area – 1113.13 Sq m
 - Total construction area – 1641.62 Sq m
3. MCGM letter dated 27.5.2013 by E.E. (B.P.), the Architect has submitted proposal for Stilt (for parking, Electric Meter Room, Pump House & Sub Station) + 1st (Society office and electrical meter room substation space) 2nd to 3rd

- parking floors + 4th to 9th residential upper floors in lieu of plot potential + benefit of area of staircase, internal staircase & Lift wells claimed free of FSI.
4. Further it is mentioned that Architect has now submitted revised planning, which require relaxation from MC before processing the file again in MCZMA.
 5. MCGM letter dated 27.5.2013 by Dy. Chief Engineer, MCGM mentions that the Proposal is Stilt (for parking, Electric Meter Room, Pump House & Sub Station) height 4.20 m + 1st (Society office and electrical meter room substation space) 2nd to 3rd parking floors + 4th to 10th (pt) residential upper floors
 6. MCGM has granted IOD dated 30th August, 2013 to the proposal. As per the building plan submitted along with IOD:
 - Plot area – 1533.50 Sq m
 - Permissible FSI – 1.00 & proposed floor area -1533.50 Sq m
 - Existing floor area – 969.53 Sq m
 - Total built up area – 1513.55 Sq m (FSI consumed – 0.99)

The Authority noted that there is dispute on the ownership and other issues between the parties regarding the subject plot and the matter is pending before the Hon'ble High Court, Mumbai (WP No. 9449 /2009). Hon'ble High Court has passed an order dated 29th Oct, 2013, directing that *"no additional construction shall be carried out on the said land for a period of six months from today. However, this order will not prevent the said society from carrying out necessary repairs to the said building after obtaining permission of the competent authority"*

The Authority took the Hon'ble High Court order on record and decided to defer the matter.

Item No 14: Proposed development of plot bearing CTS No. 1129/5 of village Versova, Yari Road, Andheri (W), Mumbai

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. Municipal Corporation of Greater Mumbai vide letter dated 14th Sep, 2012 submitted a proposal of development of plot bearing CTS No. 1129/5 of village Versova, Yari Road, Andheri (W), Mumbai to MCZMA.
2. MCGM letter dated 14.9.2012 mentions that:
 - The plot under reference is in residential zone as per DP 1967 as well, as per revised sanctioned DP. It is not under any reservation as per both of these development plans.
 - Plot is vacant and the Residential use is permissible as per land use zoning as on 19.2.1991.
 - Plot area is 552.70 Sq m
3. The proponent has submitted the CZMP dated 19.1.2000 of Mumbai approved by MoEF, New Delhi, showing site under reference. As per the said CZMP, the


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plot falls in CRZ II and situated on landward side of existing J.P. Road, in existence prior to 19.2.1991

4. As per MCGM letter dated 14.9.2013; the proposal involves Residential building comprising of basement + ground floor + 2 upper floor level for flats / rooms for residential use on vacant plot. Height of proposed new residential building is 11.88 m.
5. As per the MCGM letter dated 14.9.2012:
 - Plot area- 552.70 Sq m
 - Permissible FSI – 1.00
 - Built up area for FSI purpose – 552.65 Sq m
 - Free of FSI area – 410.00 Sq m
 - Total construction area-965.00 Sq m

Staircase, lift areas, lift lobby, stilt, basement, balcony, space required for fire hydrant, refuse area etc is taken as free of FSI.

6. MCGM vide letter dated 17th Sept, 2013 granted IOD for the proposal. As per the building plans submitted along with IOD,
 - Plot area – 552.70 Sq m
 - FSI consumed is -1.00 & total proposed area -552.70 S qm

The Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concern planning authority subject to strict compliance of the following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work


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Item No.15: Proposed Modernization of existing Unit # 6 by change of fuel from oil to coal at Trombay Thermal Power Station by M/s. Tata Power Company Limited, Mumbai


The project proponent presented the proposal before the Authority. The Authority noted that it was considered in the 84th meeting of the MCZMA held on 30th and 31st August, 2013, wherein following was noted:

1. The Trombay Thermal Power Station (TTPS) of M/s. Tata Power Company Limited is operational since 1956 with the installed capacity of 1580 MW having its Unit # 4, Unit # 5, Unit # 6, Unit # 7 and Unit # 8. These units are operated on Coal, Oil and Gas as fuel. The Unit #6 (500 MW) is experiencing serious shortage of natural gas supply for its operation. Though there are no constraints in the availability of oil, LSHS/LSFO of desired sulphur content is not available locally in adequate quantity to meet environment norms. The same has to be imported at very high cost resulting in uneconomical generation cost of Unit #6. Modernization of Unit #6 at TTPS to facilitate coal firing is essential to meet the growing demand of power at reasonable cost to consumers.
2. Two coal conveyers are proposed from captive coal berth to the Unit #6 for feeding the coal from the west side of the power plant. The coal conveyer will be partially of belt type with proper covering arrangement. All existing system of captive coal berth will be utilized during the proposed modernization and there is no anticipation of any additional construction except installation of equipments for coal unloading such as additional coal unloader of 1500 TPH for enhancing coal unloading capacity, stacker reclaimer and conveying system.
3. The CRZ mapping has been carried out by CESS, Thiruvananthapuram for proposed modernization project. Existing Unit # 6 is out of CRZ but the coal berth and related activities falls in CRZ-II area

It was noted the MCZMA wrote a letter dated 28.5.2013 seeking certain information from M/s. Tata Power Company Limited. Accordingly, M/s. Tata Power Company Limited submitted its point wise reply vide letter dated 4.7.2013, which was discussed and taken on record.

During the 84th meeting, Proponent presented that a brick making unit is proposed in CRZ area towards the south side boundary wall of TTPS. The bricks will be prepared by using bottom ash of the TTPS. The Authority suggested proponent to propose a brick manufacturing unit in Non CRZ area, as CRZ Notification, 2011 prohibits setting up new or expansion of the industries in CRZ areas.

Further, the Proponent presented that the mangroves vegetation is present along the outfall channel for effluent discharge. Due to the presence of mangroves and siltation in the channel, cooling of discharge water is hampering due to reduction in the area. Hence, removal of mangroves from the cooling channel is proposed.

 Chairman, MCZMA

 Member Secretary, MCZMA

The Authority discussed the issue of removal of mangroves and suggested that project proponent should consult Hydraulic Engineer for removing silt through streamlining the flow without disturbing the mangrove vegetation so that when the silt is removed and the free flow of effluent through outfall discharge channel is ensured for adequate cooling. During 84th meeting, the Authority decided to direct the proponent to explore other alternatives and designs for removal of siltation in the outfall channel so as to avoid destruction of mangroves and directed to submit a revised proposal. Authority further observed that brick manufacturing unit be located in non CRZ area and untreated effluent from FGD and other sources shall not be discharged in CRZ area.

Reply dated 24.9.2013 by M/s. Tata Power Company Limited :

M/s. Tata Power Company Limited submitted reply vide its letter dated 24.9.2013. As per the said letter, the company has studied various locations and have finalized on location which will discharge FGD treated effluent in West side along with other plant discharge. The selected alternate location does not involve any displacement of mangroves. Further, the company will explore various other alternatives for removal of siltation in the outfall channel so as to avoid disturbance to mangrove and free flow of effluent through outfall discharge is ensured for adequate cooling. M/s. Tata Power Company Limited has submitted google image, site photographs and CRZ map showing new location of FGD discharge.

M/s The Tata Power Company Limited vide letter dated 15.10.2013 has confirmed that the new brick making activity will be carried out in non – CRZ area within the plant premises.

The Authority noted that MoEF has accorded Environmental Clearance from CRZ Notification 1991 vide letter dated 3.8.2005 to the project for Captive berthing jetty and coal conveyers and unloaders at Trombay, Bombay by M/s. Tata Power Company Limited

The Authority noted that the original oil based boiler plant (unit No. 6), of 500 MW capacity is situated in Non CRZ area, as per the CRZ map (1:4000 scale) prepared by CESS, Kerala, which is one of the agency authorized by MoEF. The Authority observed that proposal involves –

- a. Conversion of fuel i.e. oil to coal for existing unit No. 6, in Non CRZ area
- b. Installation of two coal conveyors from captive berth to unit No. 6 for feeding the coal, in CRZ area.
- c. Installation of equipments for coal unloading in CRZ area
 - Additional coal unloader of 1500 TPH
 - Stacker reclaimer
 - Conveying system


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- d. Increase in captive coal berth capacity berth from 2.4 to 4.4 million metric ton per annum in CRZ area.
- e. Foreshore storage facility for coal – 2 lakh ton near coal berth.
- f. Disposal of treated effluent from FGD into the coastal water bodies

Further, public hearing report has been submitted. On perusal of Public hearing report dated 15.1.2013, following objections were noted-

- Coal is a dangerous energy source. Even though it is imported, it is still going to pollute the environment. Coal produces dangerous gases like SO₂ and NO_x which are hazardous to human health.
- Proposed import of lakhs of tons of coal will add to increase in pollution load in the city which is dangerous to human health.
- Electricity generation from Coal requires huge amount of water. Around 2.5 billion gallon water will be used for 500 MW. During the withdrawal of this huge amount of water from sea how many fish eggs & larva will be destroyed.
- Sea water will be utilized for sulphur removal project. This is practically not possible.
- Due to this additional coal based 500 MW electricity generation, life of Chembur residents will be difficult.

The Authority deliberated on the detailed EMP for the project. After detailed discussion and deliberation, the Authority decided to recommend the proposal to MoEF from CRZ point of view subject to following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF time to time.
2. Coal conveyor should be of 'close type', so that fugitive coal dust particles will not escape in the atmosphere.
3. Proper environment management plan should be implemented for the protection of environment in CRZ area of the present project. Coal dust particles should not allow to dispose into the coastal waters.
4. Proponent should allocate specific budget for the protection of environment and its management.
5. Proposed activities of the project should not disturb the livelihood of fisherman communities while its construction and operation phase
6. Prior approval under Water (P & CP) Act, 1974 should be obtained from the competent Authority for disposal of treated wastewater into the coastal waters.
7. Mechanism of disposal of treated effluent should not cause any damage/destruction to existing mangroves.
8. There should not be disposal of untreated or partially treated waste water into the coastal water bodies.
9. There should be impact on environment due to coal storage activity in CRZ area. Adequate precautions should be taken for prevention and control of water and air pollution.


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10. All other required permission from different statutory authorities should be obtained prior to commencement of work

Item No 16: Proposed redevelopment of property bearing C.S. 7/138 of Mazgoan Division situated at Near Dockyard Road, E Ward, Mumbai

The project proponent was absent for the meeting. The matter was deferred.


Item No 17: Proposal for setting up of temporary Floating Jetty and waiting area at Nariman Point, Mumbai


Project proponent presented the proposal before the Authority. The Authority noted the following:

1. M/s Rashmi Developments Pvt. Ltd, letter dated 30.07.2013 has submitted a proposal for setting up of temporary Floating Jetty and waiting area at Nariman Point, Mumbai. Proponent has submitted NoC from tourism point of view for commissioning of "Novel Floatel Project" from Maharashtra Tourism Development Corporation (MTDC).
2. As per the form I, the plot under reference falls in CRZ I area. CZMP of Mumbai approved by MoEF showing site under reference submitted by the proponent indicates that the site falls in CRZ I (ii) area.
3. Proposed jetty will be used for embarkation and disembarkation of the passengers going to the Floatel, which will be anchored at 3 nautical miles opposite the Gateway of India.

Technical Specifications of the proposed jetty are as follows:

- Main Pontoons: Aluminium frames with plastic & wood composite decking fitted with polyurea encapsulated polystyrene floats.
- Finger Pontoons: Aluminium frames with plastics & wood composite decking fitted with polyurea encapsulated polystyrene floats.
- Gangway: Aluminum frames with plastic & wood composite decking with shore side pivot and fixed to landing pontoons with hooks and pins allowing vertical motion during tidal fluctuations.
- All pontoons frames and gangway area aluminium alloy grade – 6082 T5/T6.
- All pontoons connectors/ fasteners are stainless steel 316 grades.
- All cleats provided area aluminium alloy grade – 6082 T5/T6.
- The Main Pontoons will be connected to cable tray ducts on either side along the length of the deck, concealing power cables and water lines below the surface of the deck.
- Pontoon decking material will be of plastic & wood composite planks
- All main pontoons and fingers will be equipped with PVC D-shaped fendering to take the impact of the user boats except for the inner shore side of the pontoons


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- All pontoon should have a minimum reserve buoyancy of 25% under design loading conditions.
- The pontoons system will be secured using dead weigh and chain anchoring system.

After detailed discussion and deliberations, the Authority decided to direct the proponent to submit the proposal through the concerned planning authority with following details-

1. Detailed project report
2. Details of the proposed activities, with complete lay out plan of the project
3. Copy of Memorandum of Understanding with Maharashtra Tourism Development Corporation (MTDC)
4. Various permissions / approvals obtained from different statutory authorities for the project including land ownership and work allotment orders.
5. Rapid EIA & EMP


MTDC representative need to be present during the meeting as and when the project again comes up for deliberation before the Authority.

Item No. 18: Proposed development of School Building on plot bearing CTS No. A/ 791 (part) in A Block of Bandra Kurla Complex, Bandra (W), Mumbai

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. Mumbai Metropolitan Regional Development Authority (MMRDA) vide letters dated 6.9.2013 & 23.10.2013 requested CRZ permission for development of School Building on plot bearing CTS No. A/ 791 (part) in A Block of Bandra Kurla Complex, Bandra (W), Mumbai.
2. Project proponent has submitted No Objection Certificate dated 27.9.2006 from CRZ point of view issued by Urban Development Department (UDD) for proposed development of Hostel Building of New Bombay Education Society on plot bearing CTS No. A/791, in 'A' Block Bandra Reclamation, Bandra Kurla Complex.
3. As per submitted information, the plans were approved with Gr. + 5 floors, with balcony area counted in FSI being non-residential user, with provision of second basement and first basement with more height for provision of stack parking, for the extra provision of parking. An access to the basement car lift has provided, as provision of ramp is not possible due to odd shape and dimension of plot.
4. Proposed development of School Building comprises of 1st & 2nd Basement + Ground floor + 1st to 5th floor on plot bearing CTS No. A/ 791 (part) in A Block of Bandra Kurla Complex, Bandra (W), Mumbai


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Member Secretary, MCZMA

5. FSI details-

- Total Plot area – 1060 Sq m
 - Permissible FSI – 1.50 (As per Regulation No. 4 (ii) of BKC's DCR 1979 for Residential Zone)
 - Permissible Floor area – 1590.00 Sq m
 - Total BUA proposed – 1581.79 Sq m
 - FSI Consumed – 1.492
6. MMRDA mentions that, as per sanctioned plan of BKC, the plot under reference falls in Residential zone. As per the Regulation No. 7 (vi) of MCGM's DCR of 1967, Educational users are permissible in Residential Zone.
7. As per approved CZMP of Mumbai, the plot under reference falls in CRZ-II and landward side of the existing road.


Project proponent informed that construction up to plinth level has been completed, based on the CRZ NOC dated 27.9.2006 granted by UDD. The Authority observed that prior CRZ recommendation from MCZMA was mandatory as per MCZMA reconstitution order dated 4.1.2002, when UDD issued the CRZ NOC dated 5.8.2008 to the project.

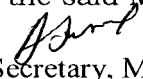
After detailed discussion and deliberations, the Authority observed that this is a case of violation of CRZ Notification, 2011 and matter be referred to Environment Department for further proceeding in accordance with Office Memorandum dated 12.12.2012 & 27.6.2013 issued by the MoEF, New Delhi.

Item No.19: Proposed redevelopment of residential building on plot bearing CS NO. 84 and CS No. 85 of Malabar Hill division, Banganga Road, Mumbai

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. Municipal Corporation of Greater Mumbai vide letter dated 19.9.2013 submitted a proposal of "proposed redevelopment of Residential building on plot bearing CS NO. 84 and C.S. NO 85 of Malabar Hill division, Banganga Road, Mumbai" to MCZMA
2. Redevelopment of category 'A' cessed building in accordance with DC reg. No. 33(7) of DCR 1991, under para 8.V. (c) of CRZ Notification, 2011 - Proposal is an ongoing redevelopment project
3. The proposal had CRZ NoC granted by MCZMA vide letter no. 2009/CR 11 dated 4.12.2009 with FSI 2.00
4. M.B.B.R & R, MHADA unit vide letter No. R/NOC/F-1706/2877/MBRRB-09 dated 4th July, 2009 granted NoC for redevelopment of property at C.S.NO. 84 & 85 of Malabar Hill Division having cess No. D- 3089(2), 3089(1) & 3090 (1) situated at 10-12, 39 & 103 Banganga Road, Mumbai. Copy of the said MHADA


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NoC is submitted. Details of Existing structure on site- The MCGM letter dated 22.10.2009 mentions- C.S.NO.84: The building consists of basement +ground + 2 upper floors constructed in load bearing wall certified by M.B.B & R board. C. S. No. 85: As per the plan of existing structure certified by M.B.B & R board, the plot bearing C.S. No. 85 consists of one GI shed as per true extract. However, during site visit, it is observed that there is no structure existing at site. In that context, Architect has submitted a copy of letter from EX-Eng D-1 Division, M.B.B.& R board under No. EE/D-1/184/2009 dated 14.1.2009 wherein it is stated that the said shed is in dilapidated condition and permitted to demolish the same. Further as per category certificate the structures are A category cessed building.


5. The MCGM letter dated 2.8.2008 mentions that

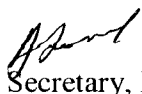
- Subject property bearing D ward No-D.3089 (2) situated at 10-12 Banganga Road. A/C No: D.15.0323-00-8 falls under category "A" (R) as per the record.
- Subject property bearing D ward No. 3089 (1), situated at 39. Banganga Road. A/C No: D.15.0322-00-1 falls under category "A" (R) as per the record.
- Subject property 3090 (1) situated at 103. Banganga Road A/C No. D15. 0324-00-4 falls under category "A" (R) as per the record.

The category certificate is issued as per repair cess schedule for the year 2007-2008. As per list certified by MHADA, there are 1 N.R. & 17 residential tenements for rehabilitation of existing tenants as well as for sale making, it total of 23 tenements.

MCGM letter dated 19.9.2013 mentions that existing use of structure is residential and commercial (NR) as per assessment records and list of tenants certified by MHADA.

1. As per MCGM letter dated 19.9.2013, in the approved plans, proposed building comprising of Lower Ground, Middle ground & upper ground + Ground + 22nd upper floors. Proposed use is Residential.
2. As per MCGM letter dated 19.9.2013, the plot is situated in Residential zone and not reserved for any public purpose.
3. As per MCGM letter dated 19.9.2013 & CZMP of Mumbai, the plot under reference falls in CRZ II & situated on landward side of existing Walkeshwar road prior to 19.2.1991.
4. FSI Details, as per building plans submitted along with IOD (16.12.2009)-
 - Area of plot- 542.18 Sq m
 - Permissible Built up area- 1084.36 Sq m
 - Proposed built up area – 1078.87 Sq m
 - Balcony area taken in FSI – 5.52 Sq m
 - Total built up area proposed – 1084.09 Sq m.(FSI-2.00)


Chairman, MCZMA


Member Secretary, MCZMA

MCGM letter dated 19.9.2013, Area of Staircase/ lift/lift lobby, balcony, stilt, Refuse area etc is taken as free of FSI. Free of FSI area-2608.66 Sq m & Total construction area-5645.49 Sq m. Height of building is 69.95 m.

5. The MCGM letter dated 19.9.2013 mentions that subject site falls under precinct of Banganga. In such redevelopment cases of 33(6), 33(7), 33(8), 33(9) & 33(10), within heritage precinct, if the height is more than 24 m excluding height of stilt on ground floor, the special permission can be granted from Municipal Commissioner and the same is approved by MC vide letter dated 12.11.2009. Recently, draft heritage list was published as per the provisions of DC reg No. 67(3) by MCGM vide public notice 31.7.2012. The cognizance of the same, if applicable, will be taken.
6. Public hearing was conducted on 6.10.2012 by MPCB. The public hearing report was submitted. Environmental provisions made in the project are as follows-
 - Rainwater Harvesting system in complex- permeable paver blocks are proposed along with 1 Recharge pits to increase the percolation of rain water into the soil rather than flowing to the drain.
 - Solar water hearing system

The Authority after deliberation decided to recommend the proposal from CRZ point of view under provisions 8.v. (c) of CRZ Notification, 2011 to concerned Planning Authority subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. The concerned Planning authority should ensure that FSI lay out plan; height involved in the proposal is as per town and country planning regulations existing as on 6.1.2011.
3. The MCGM should ensure that FSI, Non FSI and concessions granted by Municipal Commissioner, if any, is strictly as per the provisions of DCR existing as on 6.1.2011.
4. Project proponent should implement green initiatives such as rainwater harvesting system for ground water recharge, solar panel for generation of renewable energy for captive consumption.
5. Prior NOC from Heritage point of view should be obtained.
6. There should not be any violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by MCGM.
7. All other mandatory permissions from different statutory authorities should be obtained prior to the commencement of work.


Chairman, MCZMA


Member Secretary, MCZMA

Item No. 20: Regarding deletion of condition (MPCB NoC) in CRZ recommendation letter in the proposal of Residential building on plot no. 122 of property bearing S. No. 41 (pt) and CTS No. 1/38/3A/3 of village Oshiwara, off J.P. Road, Andheri (West), Mumbai

Project proponent was absent for the meeting. The matter was deferred.

Item No 21: Proposed construction on plot bearing S. No. 8/18/3/3, Dahanu- Bordi Road, Dahanu

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Chief Officer, Dahanu Municipal Council forwarded the proposal. As per layout plan submitted by Project Proponent the proposal is for proposed Hotel Building on plot bearing S. No. 8/18/3/3, Dahanu- Bordi Road, Dahanu
2. Proposed Hotel building comprising ground + 1 floors
3. The Dahanu Municipal Council vide letter dated 19.12.2013 mentions that, the plot under reference is open plot.
4. The Dahanu Municipal Council vide letter dated 24.5.2013, as per sanctioned development plan the plot under reference falls in Tourism Zone.
5. As per the CZMP of Dahanu Municipal Council area, the plot under reference falls in CRZ-II.
6. The Dahanu Municipal Council vide letter dated 19.12.2013, the plot under reference is landward side of the existing authorized structure.
7. FSI details as per layout plan submitted by project proponent,
 - Net plot area – 870 Sq m
 - Permissible FSI – 0.5
 - Permissible BUA – 435 Sq m
 - Proposed BUA for Ground Floor – 148.24 Sq m
 - Proposed BUA for First Floor – 286.76 Sq m.
 - Total Proposed BUA– 435 Sq m
8. The MCZMA vide letter dated 11.9.2013 requested to Dahanu Municipal Council for certain information. Accordingly, Dahanu Municipal Council vide letter dated 19.12.2013 submitted its reply

The Authority noted the guidelines stipulated in annexure III of CRZ Notification, 2011 pertaining to development of beach resorts or hotels in CRZ II and CRZ III area. The condition mentioned in the guideline stipulates that the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33. However, the plot area under proposal is 870 Sq m i.e, 0.087 hectare.


Chairman, MCZMA


Member Secretary, MCZMA

The Authority observed that the proposal does not meet the guidelines mentioned in annexure III of CRZ Notification, 2011. Therefore, the Authority after detailed deliberation, decided to reject the proposal.


Item No 22: CRZ clearance for proposed building on plot bearing Tikka No.3, C.T.S. No. 165 at village Thane (W).

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Municipal Corporation of the City of Thane vide letter dated 22nd April, 2013 has forwarded the proposal for redevelopment of "Residential cum Commercial" building on plot bearing Tika No. 3, CTS No. 165 at Thane (W), Dist. Thane by demolishing existing structure.
2. The proposal is for redevelopment of existing structure comprises of residential building Ground (pt) + Stilt (pt) + 1st to 6th floor + 7th (pt) with shopping in Ground floor.
3. The Municipal Corporation of the City of Thane mentions that-
 - As per the part plan of Development Plan of Thane, the plot under reference is in residential zone and in congested area.
 - As per the approved CZMP of Thane, the plot partly falls in CRZ II and situated on landward side of existing road prior to 1991.
 - The total area of plot is 127.90sqm
4. As per DCR of 1995 permissible FSI in congested area is 2, i.e. 1.5 (residential) & 0.5 (commercial). For the area included in CRZ II, as per the regulations in force on 19.02.1991, FSI considered is 1.33
5. FSI Details, as per the layout plan submitted by the project proponent,
 - Total area of Plot – 127.90 sq m
 - Permissible FSI – 1.33
 - Net plot area – 127.90 sq m
 - Permissible floor area – 170.11 sq m
 - Total proposed built up area – 169.54 sq m
 - FSI proposed to be consumed – 1.32

After detailed discussion and deliberation, the Authority decided to direct the project proponent to submit the present use of the existing structure on subject plot through concerned planning authority.


Chairman, MCZMA


Member Secretary, MCZMA

Item No. 23: Proposed construction of residential building in S.No. 17 of Malyan village, Dahanu, Dist- Thane

Proponent presented the proposal before the Authority. The Authority noted the following:

1. The Dahanu Municipal Council vide letter dated 14.6.2013 forwarded the subjected proposal.
2. The proposal is for proposed construction of residential building comprising stilt + 3 floors on S.No. 17 of Malyan village, Dahanu, Dist- Thane
3. The existing building on the plot under reference which is to be retained and proposed building is on vacant land of the plot.
4. The Dahanu Municipal Council vide letter dated 14.6.2013, as per sanctioned development plan the plot under reference falls in residential zone.
5. As per the CZMP of Dahanu Municipal Council area, the plot under reference partly falls in CRZ-II.
6. The Dahanu Municipal Council vide letter dated 14.6.2013, the plot under reference is landward side of the existing authorized building.
7. FSI details as per layout plan submitted by project proponent,
 - Net plot area- 2600 Sq m
 - Existing BUA – 1355 Sq m
 - Proposed BUA – 1236.78 Sq m
 - Permissible FSI - 1
 - Total BUA (Existing + Proposed) – 2591.78 Sq m
8. The MCZMA vide letter dated 22.10.2013 requested to Dahanu Municipal Council for certain information. Accordingly, Dahanu Municipal Council submitted its point wise reply vide letter dated 11.11.2013.
 - a. The existing structure admeasuring 1355 Sq m was approved by Dahanu Municipal Council dated 5.10.1988. The copy of the Commencement Certificate has submitted.
 - b. Plot under reference falls under landward side of the tidally influenced water bodies and on the landward side of check dam located on Kankradi river behind Kety Nagar and in CRZ-II block 5.
 - c. Allowable FSI is 1, 1355.00 Sq m (Existing) + 1236.78 Sq m (Proposed) = 2591.78 Sq m (Total)
 - d. The land under reference is adjoining to Kankradi river and on landward side of the check dam and existing Kety Nagar Structure and as per approved CZMP in CRZ-II block 5.

The Authority observed that development is proposed on landward side of existing structure. The Authority after deliberations decided to recommend the proposal from


Chairman, MCZMA


Member Secretary, MCZMA


CRZ point of view to concerned planning authority subject to strict compliance of the following conditions:

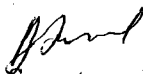
1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 24: Proposed reconstruction of residential building in S. No. 176B of village Dahanu, Dist- Thane

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Dahanu Municipal Council vide letter dated 14.6.2013 forwarded the subjected proposal.
2. The proposal is for proposed reconstruction of residential building on S.No. 176B of village Dahanu, Dist- Thane.
3. Proposed residential building comprising ground + 2 floors
4. Proponent has submitted 7/12 extract and property card of existing structure.
5. The Dahanu Municipal Council vide letter dated 14.6.2013, as per sanctioned development plan the plot under reference falls in congested residential zone.
6. As per the CZMP of Dahanu Municipal Council area, the plot under reference falls in CRZ-II.
7. The Dahanu Municipal Council vide letter dated 14.6.2013, the plot under reference is landward side of the existing gaothan road and authorized building.
8. FSI details, as per layout plan submitted by project proponent,


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- Net plot area – 230.30 Sq m
- Permissible FSI – 1.8
- Proposed BUA – 342.93 Sq m

9. The MCZMA vide letter dated 21.10.2013 requested to Dahanu Municipal Council for certain information. Dahanu Municipal Council submitted its point wise reply vide letter dated 11.11.2013.
- a. The property card of house no. 575 & 576 shows year of construction prior to Municipal Council inception; hence permission details are not available.
 - b. The present use of the structure is for residential use.
 - c. The permissible FSI as on 19.2.1991 is 1.8 as per Standard building bye laws 'B' & 'C' class municipal council. However, as per sanctioned DC rule of Dahanu Municipal Council permissible FSI for congested area is 1.5

In the light of above, the Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

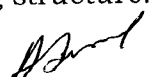
1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
3. The concerned Planning authority should ensure that the FSI, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991
4. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by Dahanu Municipal Council.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 25: Proposed reconstruction of residential building on CTS. No. 479B & 480A of village Dahanu, Dist- Thane

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Dahanu Municipal Council vide letter dated 14.6.2013 forwarded the subject proposal for proposed reconstruction of residential building on CTS.No. 479B & 480A of village Dahanu, Dist- Than. Proposed residential building comprising ground + 2 floors.
2. Proponent has submitted 7/12 and property card of existing structure.


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3. The Dahanu Municipal Council vide letter dated 14.6.2013, as per sanctioned development plan the plot under reference falls in congested residential zone.
4. As per the CZMP of Dahanu Municipal Council area, the plot under reference falls in CRZ-II. The Dahanu Municipal Council vide letter dated 14.6.2013, the plot under reference is landward side of the existing Bandar road and existing authorized structure.
5. FSI details, As per layout plan submitted by project proponent,
 - Net plot area – 165.50 Sq m
 - Permissible FSI – 1.5
 - Proposed BUA – 243.51 Sq m
 - FSI consumed – 1.47

As per the Dahanu Municipal Council vide letter dated 14.6.2013, permissible FSI is 1.8.

The Authority noted that MCZMA vide letter dated 31.10.2013 requested to Dahanu Municipal Council for certain information. Dahanu Municipal Council submitted its point wise reply vide letter dated 11.11.2013.

1. The property card of house no. 1453 (768) shows year of construction is in 1961 prior to Municipal council inception; hence permission details are not available.
2. The present use of structure is vacant and under dilapidated condition.
3. The permissible FSI as on 19.2.1991 is 1.8 as per Standard building bye laws 'B' & 'C' class municipal council. However as per sanctioned DC rule of Dahanu Municipal Council permissible FSI for congested area is 1.5

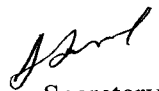
After detailed discussion and deliberation, the Authority directed project proponent to submit the present use of the existing building on subject plot through concerned planning authority.

Item No 26: Proposed reconstruction of residential building on G. No. 185 pt of village Masoli, Tal- Dahanu, Dist- Thane

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Dahanu Municipal Council vide letter dated 14.6.2013 forwarded the subject proposal.
2. The proposal is for proposed reconstruction of residential building on G.No. 185pt of village Masoli, Tal- Dahanu, Dist- Thane. Proposed residential building comprising stilt + 3 floors
3. Proponent has submitted 7/12 and property card of existing structure.


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4. The Dahanu Municipal Council vide letter dated 14.6.2013 mentions, as per sanctioned development plan the plot under reference falls in residential zone.
5. As per the CZMP of Dahanu Municipal Council area, the plot under reference falls in CRZ-II.
6. The Dahanu Municipal Council vide letter dated 14.6.2013, the plot under reference is landward side of the existing Prabhupada road.
7. FSI details, as per layout plan submitted by project proponent,
 - Net plot area – 1000 Sq m
 - Permissible FSI – 1
 - Proposed BUA – 999.03 Sq m
8. The MCZMA vide letter dated 21.10.2013 requested to Dahanu Municipal Council for certain information. Dahanu Municipal Council submitted its point wise reply vide letter dated 11.11.2013.
 - The existing construction was approved by addl. Collector, Thane vide order dated 12.1.1987. Presently building is vacant and under dilapidated condition.
 - The present use of structure is vacant.
 - The permissible FSI as on 19.2.1991 is 1 as per Standard building bye laws 'B' & 'C' class municipal council.

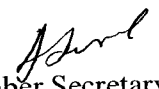
After detailed discussion and deliberation, the Authority directed project proponent to submit the present use of the existing building on subject plot through concerned planning authority.

Item No 27: Proposed reconstruction of residential building on CTS. No. 6A/pt of village Dahanu, Tal- Dahanu, Dist- Thane

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Dahanu Municipal Council vide letter dated 14.6.2013 forwarded the subjected proposal for proposed reconstruction of existing building. The Proposed residential building comprising stilt + 3 floors in CRZ-II area of CTS. No. 6A/pt of village Dahanu, Tal- Dahanu, Dist- Thane.
2. No construction proposed in mangrove buffer zone.
3. Project proponent has submitted the assessment report of Dahanu Municipal Council for existing residential structure.
4. The Dahanu Municipal Council vide letter dated 14.6.2013 mentions, as per sanctioned development plan the plot under reference falls in congested residential zone.
5. As per the CZMP of Dahanu Municipal Council area, the plot under reference falls in 50m buffer zone of mangroves and partly in CRZ-II.


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6. The Dahanu Municipal Council vide letter dated 14.6.2013, the plot under reference is landward side of the existing road.
7. As per layout plan submitted by project proponent,
 - Net plot area – 639.40 Sq m
 - Permissible FSI – 1.8
 - Proposed BUA – 797.97 Sq m
8. The MCZMA vide letter dated 21.10.2013 requested to Dahanu Municipal Council for certain information. Dahanu Municipal Council submitted its point wise reply vide letter dated 11.11.2013.
 - The property card extract for existing house no. 12 & 13 has submitted. The year of construction is 1961.
 - The present use of the structure is for residential use.
 - The permissible FSI as on 19.2.1991 is 1.8 as per Standard building bye laws 'B' & 'C' class municipal council. However as per sanctioned DC rule of Dahanu Municipal Council permissible FSI for congested area is 1.5

The Authority observed that the plot partly falls in 50 m mangroves buffer zone and partly in CRZ II. Proponent represented that construction is entirely proposed in CRZ II area, keeping 50 m mangrove buffer zone open.

In the light of above, the Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
3. The concerned Planning authority should ensure that the FSI, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991
4. Concerned planning authority & project proponent should ensure that no construction is undertaken in 50 m mangroves buffer zone. Further, no FSI utilization of the 50 m mangroves buffer zone is permitted.
5. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by Dahanu Municipal Council.
6. All other required permission from different statutory authorities should be obtained prior to commencement of work.


Chairman, MCZMA


Member Secretary, MCZMA

Item No. 28: Proposed construction of Modular type relocating shed on plot bearing S. No. 101 at Village Versave, Dist. Thane

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Mira Bhayandar Municipal Corporation has forwarded the proposal for construction of Modular type relocating shed on plot bearing S. No. 101 at Village Versave, Dist. Thane comprises of Plot A and Plot B consists three building with Ground floor for recreational / TV serial / Film purpose on existing ground floor structure.
2. MS Channels filled on grouted bolts will be used for the construction of Modular type relocating shed. There will be no brick or RCC work above ground level.
3. These sheds will be utilized for shooting of TV Serial / Films, which is a recreation in the interest of Locals and tourists / visitors interest.
4. As per the Mira Bhayandar Municipal Corporation letter dated 26.08.2013,
 - The proposal is for construction of Modular type relocating shed on plot bearing S. No. 101 at Village Versave, Dist. Thane. The proposed construction is on vacant land.
 - As per the Development plan of Mira Bhayandar 14.5.1997, the plot is in residential zone and as per BMR plan 1973 land was in "G" zone.
 - As per the CZMP of Mira Bhayandar prepared by CESS, Kerala, the plot falls in CRZ III.
 - No Mangroves on plot (plot boundary is adjoining HTL)
 - The total area of plot is 10930.00 sq m

The Authority observed that the construction of Modular type relocating shed is proposed in CRZ III area and it is within 200 m from the HTL, which is No Development Zone area. The Authority observed that in CRZ III (NDZ) area, the project activity is not permissible and decided to inform the same to proponent and planning authority.


The Authority after deliberations, decided to reject the proposal, since proposed activity is not permissible as per the CRZ notification, 2011.

Item No 29: Proposed development on Survey No. 172, 173 and 175 to 177 of village Payegoan. Tal- Bhivandi, Thane (CRZ status of subject site)

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. Town planning & valuation dept, Thane forwarded a letter dated 3.11.2012 requesting to issue directions pertaining to CRZ area limit along the creek.


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ADTP, Thane mentions about the Survey No. 172, 173 and 175 to 177 of village Payegoan. Tal- Bhivandi, Thane.

2. Proponent vide letter dated 30.10.2013 requested MCZMA to consider the subject site as Non CRZ based on the policy decision taken by MCZMA in its 83rd meeting CRZ area limit along the creek. Proponent has given reference of 2 court order of High Court pertaining to CRZ area limit along creek and river.
- Subject site is located near creeklet at Payegoan village. Residential development is prominent in the vicinity. The site falls within 500 m as per the CRZ map prepared by SAC, Ahembadabad.
- MCMZA has taken a policy decision prescribing CRZ area limit along creek in 83rd meeting. As per the policy decision, "Wherever the width of the tidally influenced water bodies (river, creek, nalla, backwater etc) is 100 m or less; the CRZ area limit from the HTL on the landward side shall be 100 m or width of the tidally influenced water bodies whichever less"
- Hon'ble High Court has issued order dated 12th August, 2013 in WP No. 1694/2013 (Murlidhar Panvelkar & ors VS The state of Maharashtra & ors) that site at Maral Village, near Ulhas creek as Non CRZ, based on the CRZ map prepared by IRS, Chennai in 1:4000 scale.
- Hon. Court order dated 20th Sep, 2013 in Civil WP No 119290/2013 (Omesh Suresh Kalani VS The State of Maharashtra & ors) directed that the site at Varap village, near Ulhas creek is Non CRZ. This court order was again based on CRZ map prepared by IRS, Chennai in 1:4000 scale.

The Authority observed that as per the approved Coastal land use map prepared by Space Application Centre, Ahmadabad, the subject site is within 500 m CRZ line from the HTL of creek. As per the condition No. 18 of the said letter-


"The Coastal Regulation Zone in respect of creeks, rivers and backwaters is as follows:

- *100 meters or less where the width of the river, creek or backwater is upto 100 meters or less.*
- *100 meters where the width of the river, creek or backwater is in the range of 100 – 350 meters.*
- *150 meters where the width of the river, creek or backwater is more than 350 meters"*

As per para 5(xii) of CRZ Notification, 2011 and subsequent notification dated 22nd August, 2013 of MoEF stipulates that, the old CZMP approved under CRZ Notification, 1991 will be valid upto 31st Jan, 2014.

As per provisions of CRZ notification, 2011 the CRZ area limit from the HTL of the tidally influenced water bodies is 100 m or width of the tidally influenced water body whichever is less.


Chairman, MCZMA


Member Secretary, MCZMA

Further, the MCZMA in its 83rd meeting held on 6th August, 2013 took a policy decision regarding, CRZ area limit from the HTL of tidally influenced water bodies, (river, creek, nalla, backwater etc) which is as follows-

A. *Wherever the width of the tidally influenced water bodies (river, creek, nalla, backwater etc) is 100m or less.*

CRZ area limit from the HTL on the landward side, shall be 100m or width of the tidally influenced water body whichever is less.

B. *Wherever, the width of tidally influenced water bodies such as creek, river, nalla, backwater etc is more than 100m,*

CRZ area limit from the HTL on the landward side shall be 150m.

The above criteria will be adopted by MCZMA till the new CZMP in the scale of 1:4000 are prepared and approved by MoEF, New Delhi, as per CRZ Notification, 2011.

The Authority examined the CRZ map in 1:4000 scales demarcating HTL, LTL and superimposing the subject site prepared by Institute of Remote Sensing, Chennai, which is one of the agency authorized by the MoEF, New Delhi to Authority. The said IRS, Chennai map, indicates the width of creek is less than 100 m and site is situated outside CRZ area.


In view of above, the Authority after detailed discussion and deliberation decided to request project proponent to provide a clarification as to whether the HTL demarcated by IRS, Chennai is same as that of approved CZMP or whether there is any change in HTL. If so, reasons of change in HTL be reported.


Item No 30: Proposed development of S.No. 256 at village Kharbao, Taluka-Bhiwandi, Thane. (CRZ status of subject site)

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. M/s Ashapura Developer's letter dated 24.9.2013 has requested to issue directions to consider the subject site as Non-CRZ, based on the MCZMA policy decision as well as court orders pertaining to CRZ area extent along the tidally influenced river. As per the said letter of proponent:

- The subject site is situated at 350 m away from the creek (namely, Kharbao Creek). As per the SAC map, the site under reference falls within 500 m line from the HTL of creek.


Chairman, MCZMA


Member Secretary, MCZMA

- As per the policy decision taken by the MCZMA in its 83rd meeting, max CRZ extent along the creek is 150 mt from HTL of creek. Since site is at 300 mt away from HTL of creek, the site is Non CRZ.
- Hon'ble High court has recently given verdict on 12th August, 2013 in WP No. 1694/2013 (Murlidhar Panvelkar & ors VS The state of Maharashtra & ors) that site at Maral Village, near Ulhas creek (was about 250 m. away from creek) as Non CRZ.
- Court order dated 20th Sep, 2013 in Civil WP No 119290/2013 (Omesh Suresh Kalani VS The State of Maharashtra & ors) directed that the site at Varap village, near Ulhas creek is Non CRZ. (Both court orders submitted by proponent)
- From the Google image submitted by the proponent, it seems that the site is at around 250 m. from the creek (i. e. beyond max 150 CRZ limit)
- CRZ map in 4:000 scale demarcating HTL, LTL and superimposing the subject site prepared by IRS, Chennai which is one of the agencies authorized by the MoEF, New Delhi submitted to Authority.

The Authority observed that as per the approved Coastal land use map prepared by Space Application Centre, Ahmadabad, the subject site is within 500 m CRZ line from the HTL of creek. As per the condition No. 18 of the said letter-

"The Coastal Regulation Zone in respect of creeks, rivers and backwaters is as follows:

- *100 meters or less where the width of the river, creek or backwater is upto 100 meters or less.*
- *100 meters where the width of the river, creek or backwater is in the range of 100 – 350 meters.*
- *150 meters where the width of the river, creek or backwater is more than 350 meters"*

As per para 5(xii) of CRZ Notification, 2011 and subsequent notification dated 22nd August, 2013 of MoEF stipulates that, the old CZMP approved under CRZ Notification, 1991 will be valid upto 31st Jan, 2014.

As per provisions of CRZ notification, 2011; the CRZ area limit from the HTL of the tidally influenced water bodies is 100 m or width of the tidally influenced water body whichever is less.

Further, the MCZMA in its 83rd meeting held on 6th August, 2013 took a policy decision regarding, CRZ area limit from the HTL of tidally influenced water bodies, (river, creek, nalla, backwater etc) which is as follows-

- *Wherever the width of the tidally influenced water bodies (river, creek, nalla, backwater etc) is 100m or less.*


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CRZ area limit from the HTL on the landward side, shall be 100m or width of the tidally influenced water body whichever is less.

- *Wherever, the width of tidally influenced water bodies such as creek, river, nalla, backwater etc is more than 100m,*

CRZ area limit from the HTL on the landward side shall be 150m.

The above criteria will be adopted by MCZMA till the new CZMP maps in the scale of 1:4000 are prepared and approved by MoEF, New Delhi, as per CRZ Notification, 2011.


The Authority examined the CRZ map in 1: 4:000 scale demarcating HTL, LTL and superimposing the subject site prepared by Institute of Remote Sensing, Chennai, which is one of the agency authorized by the MoEF, New Delhi to Authority. The said IRS, Chennai map, indicates the width of creek is less than 100 m and site is situated outside CRZ area.

In view of above, the Authority after detailed discussion and deliberation decided to request project proponent to provide a clarification as to whether the HTL demarcated by IRS, Chennai is same as that of approved CZMP or whether there is any change in HTL. If so, reasons of change in HTL be reported.

Item No 31: Proposed development of residential building on plot bearing Survey No. 27 A 1, Hiss No. 2A/2, CTS No. 1065/1 of Mouje Rahatgar, Tal.& Dist. Ratnagiri.

The project proponent presented the proposal before the Authority. The Authority noted the following:

1. The proposal is submitted through the Municipal Council of Ratnagiri, vide letter dated 15.04.2013. The Municipal Council of Ratnagiri has forwarded the proposal for development of residential building on plot bearing Survey No. 27 A 1, Hiss No. 2A/2, CTS No. 1065/1 of Mouje Rahatgar, Tal. & Dist. Ratnagiri.
2. The proposed construction is development of residential building comprises of Stilt + Ground floor + 1st floor.
3. As per the Municipal Council of Ratnagiri,
 - As per the revised Development Plan of Ratnagiri, the plot under reference is in residential zone.
 - As per the approved CZMP of Ratnagiri, the plot falls in CRZ II and situated on landward side of existing road prior to 1991.
 - The total area of plot is 619.90 sq m


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4. FSI Details:

- Area of Plot – 619.90 sq m
- Permissible built up area – 462.675 sq m
- Proposed built up area for ground floor – 252.76 sq m
- Proposed built up area for first floor – 209.84 sq m
- Total built up area – 462.60 sq m
- Consumed FSI – 0.99

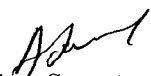
5. The MCZMA vide letter dated 27.5.2013 sought certain information in the subject proposal from the Ratnagiri Municipal Council. The Ratnagiri Municipal Council vide letter dated 31.07.2013 replied to MCZMA.

- a) According to the Chief Officer, Ratnagiri Municipal Council letter dated 31.7.2013; the proposed construction is in residential zone as per the development plan as on 19.02.1991 & 2000
- b) As per the Town & Country Planning Regulation (T & CPR) prior to 1991, permissible FSI was 1.00. As per Current T & CPR, it is 0.75

The Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work.


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Item No 32: CRZ permission for storage of material / goods at mud land having area 1-06-00 Ha adjacent to Gut no. 66 of Maouje Sanegaon, Tal- Roha, Dist- Raigad by M/s. Indo Energy International Ltd

Project proponent was absent for the meeting, hence the matter was deferred.

Item No 33: Proposed construction on plot bearing S.No. 21, H. No. 6, 7, 10, 11 of Mouje Juikar Mohalla, Tal- Dapoli, Dist- Ratnagiri

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Additional Collector, Ratnagiri forwarded the above mentioned proposal vide letter dated 22.8.2013. As per submitted information the proposal is for proposed construction of Residential cum Commercial Building on plot bearing S. No. 21, H.No. 6, 7, 10, 11 of Mouje Juikar Mohalla, Tal- Dapoli, Dist- Ratnagiri.

2. Project Proponent has submitted 2 layout plans-

Layout Plan	Building	floors	Height
Layout Plan - 1	Building - A	Ground + 3	12.05 m
	Building - B	Ground + 3	9.15 m
Layout Plan - 2	Building - A	Ground + 2	8.70 m
	Building - B	Ground + 2	8.70

3. CRZ details-

As per Coastal Landuse map and The Additional Collector, Ratnagiri letter dated 22.8.2013, the plot under reference falls in CRZ-III.

From the presentation made by the proponent, the Authority observed that the proposal is of construction of 'Holiday Home', which attracts the guidelines mentioned in the Annexure III of CRZ Notification, 2011, pertaining to development of hotel and beach resorts in CRZ II & III areas.

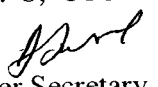
In view of above, the Authority directed the project proponent to resubmit the proposal in accordance with the guidelines mentioned in Annexure III of CRZ Notification, 2011.

Item No 34: Proposed reconstruction of existing residential building on plot bearing Survey No. 193, Hiss No. 5, CTS No. 149 & 151 of Mouje Guhagar, Tal. Guhagar, Dist. Ratnagiri.

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Collector, Ratnagiri has forwarded the proposal for reconstruction of existing residential building on plot bearing Survey No. 193, Hiss No. 5, CTS No. 149 &


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151 of Mouje Guhagar, Tal. Guhagar, Dist. Ratnagiri comprises of Ground + 2 upper floors for residential purpose on existing ground floor structure.

2. As per the Collector, Ratnagiri District letter dated 02.08.2013,
 - a. The land is situated in the Ratnagiri Sindhudurg Regional plan which is sanctioned by Government dated 23.12.1987, for Ratnagiri District there is no specific zoning in sanction regional plan.
 - b. As per the coastal land use map of Ratnagiri, the plot falls in CRZ III. As per the Collector Ratnagiri District, proposed construction is within 200m to 500m from High Tide Line (HTL).
 - c. The total area of plot is 1619.10sqm

3. FSI Details:

- a. Total Area of Plot – 1619.10 sq m
- b. Permissible FSI – 1.00
- c. Allowable GF BUA – 539.71 sq m
- d. Existing ground floor built up area – 124.61 sq m
- e. First floor built up area – 124.61 sq m
- f. Second floor built up area – 124.61 sq m
- g. Total built up area – 373.83 sq m
- h. Consumed FSI – 0.23

The Authority noted that as per 8(i) III. CRZ-III, B,(vii) following is permitted-

“Construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gaothans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor)”

Proponent informed the property was purchased from her husband to repay the bank loan. The Authority observed that construction of dwelling unit in CRZ III is permissible so long is it within the ambit of traditional rights. The Authority suggested proponent that there should be joint agreement (husband and wife) regarding ownership of property to establish that the property is not sold outside the family and it is within the ambit of traditional rights.

In the light of above, the Authority after detailed discussion and deliberation decided to recommend the proposal to concerned planning authority from CRZ point of view subject to following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF time to time.
2. Concerned planning authority should ensure that proposed construction is not exceeding overall height of 9 m with two floors (ground + one floor). It should confirm that local town and country planning regulations.


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3. Collector, Ratnagiri to ensure that the proposed construction is within the ambit of traditional rights.
4. Husband of the owner of the property should become co-owner of the property and thereafter only commencement of work can be undertaken in CRZ III area to ensure it remains within the ambit of traditional rights.
5. There should not violation of CRZ Notification, 2011.
6. Construction waste, debris should not be dumped in CRZ area.
7. All other required permission from different statutory authorities should be obtained prior to commencement of work

Item No 35: Proposed construction of first floor on existing ground floor structure on plot bearing plot no. 6, CTS No. 1179 of village Alibag, Tal. Alibag, Dist. Raigad.

Project proponent was absent for the meeting, hence the matter was deferred.


Item No 36: Proposed new residential building on plot bearing CTS No. 1/6A of Alibag City, Tal. Alibag, Dist. Raigad.

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Alibag Municipal Council has forwarded the proposal for new residential building on plot bearing CTS No. 1/6A of Alibag City, Tal. Alibag, Dist. Raigad comprises of Stilt + raised ground floor + raised upper two floors for residential purpose.
2. As per the Alibag Municipal Council letter dated 08.08.2013,
 - a. The proposal for new residential building on plot bearing CTS No. 1/6A of Alibag City, Tal. Alibag, Dist. Raigad.
 - b. As per the Development plan of Alibag, the plot is in residential zone. The proposed construction is on vacant plot.
 - c. As per the CZMP of Alibag, the plot falls in CRZ II and situated on the landward side of the existing DP road.
 - d. The total area of plot is 481.00 sq m

3. FSI Details, as per the layout plan submitted by the project proponent,

- Total Area of Plot – 481.00sq m
- Permissible FSI – 1.00
- Total permissible BUA – 481.00 sq m
- Total permissible BUA per floor – 160.33 sq m
- Total proposed BUA on R. Ground Floor – 160.25 sq m
- Total proposed BUA on R. First Floor – 160.25 sq m
- Total proposed BUA on R. Second Floor – 160.25 sq m
- Total proposed Built up area – 480.75 sq m
- FSI proposed to be consumed – 0.99


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The Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 37: Proposed new residential building on plot bearing S. No. 6, plot no. 11A CTS No. 295 of village Alibag, Tal. Alibag, Dist. Raigad.

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Alibag Municipal Council has forwarded the proposal for new residential building on plot bearing S. No. 6, Plot No. 11A, CTS No. 295 of village Alibag, Tal. Alibag, Dist. Raigad comprises of Stilt + raised ground floor + raised upper two floors for residential purpose.
2. As per the Alibag Municipal Council letter dated 08.08.2013,
 - The proposal for new residential building on plot bearing S. No. 6, plot no. 11A, CTS No. 295 of village Alibag, Tal. Alibag, Dist. Raigad.
 - As per the Development plan of Alibag, the plot is in residential zone. The proposed construction is on vacant plot.
 - As per the CZMP of Alibag, the plot falls in CRZ II and situated on the landward side of the existing road.
 - The total area of plot is 462.00 sq m
3. FSI Details, As per the layout plan submitted by the project proponent,
 - Total Area of Plot – 462.00 sq m


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- Permissible FSI – 1.00
- Permissible BUA on per floor – 154.00 sq m
- Proposed BUA on raised ground floor – 153.77 sq m
- Proposed BUA on raised first floor – 153.77sq m
- Proposed BUA on raised second floor – 153.77sq m
- Total Proposed built up area – 461.31sq m
- FSI proposed to be consumed – 0.99

The Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 38: Proposed building for commercial and residential purpose on CTS No. 870/A, B, C& D area 518 sq.mtr.at Alibag, District Raigad.

The project proponent was absent for the meeting, hence the matter was deferred.

Item No 39: Proposed new Residential construction on plot bearing Survey No. 46/1A/5 at Alibag, Tal. Alibag, Dist. Raigad.

The project proponent was absent for the meeting, hence the matter was deferred.


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Item No 40: Proposed Residential construction on plot bearing Survey No.29A/1 at Alibag, Tal. Alibag, Dist. Raigad.

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The Alibag Municipal Council has forwarded the proposal for new residential building comprising Stilt + raised 2 upper floors on plot bearing Survey No. 29A/1 at Alibag, Tal. Alibag, Dist. Raigad.
2. As per the Alibag Municipal Council letter dated 31.08.2013,
 - The Development Plan of Alibaug Municipal Council was sanctioned by UDD vide Notification No. TPS/1483/3366/CR 707//93/UD 5 dated 20.8.1984. As per the said DP, land under reference is reserved for Stadium. However, in 1986 the land under reference is incorporated in Residential Zone, as per Section 50 of MRTP Act, 1966.
 - As per the CZMP of Alibag, the plot falls in CRZ II and situated on the landward side of the existing road.
 - The total area of plot is 99.00 sq m
3. FSI Details:

As per the layout plan submitted by the project proponent,

- Total Area of Plot – 99.00 sq m
- Permissible FSI – 1.00
- Permissible BUA on per floor – 49.50 sq m
- Proposed BUA on raised ground floor – 49.49 sq m
- Proposed BUA raised first floor – 49.49 sq m
- Total Proposed built up area – 98.98 sq m
- Balance area – 0.02 sq m

The Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.


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4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No. 41: Proposed construction on Plot No. 107, 108 & 109 Sector 31, Vashi, Navi Mumbai

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. The proposal is for construction of residential building comprises of Ground + 3 upper floors + 4 (pt) by demolishing existing structure (Under 12.5 % Scheme) on Plot No. 107, 108 & 109, Sector 31, vashi, Navi Mumbai
2. The NMMC mentions vide letter dated 16.10.2012, as per sanctioned DP & GDCR (CIDCO) 1973, the plot under consideration is falls in Residential Zone.
3. As per the CZMP, the land under reference falls in CRZ – II and situated on landward side of existing bund road.
4. The NMMC mentions vide letter dated 16.10.2012, as per CRZ map prepared by IRS Chennai, shows that the said plot is not affected by CRZ II limit (beyond 100m from HTL of Creek)
5. Regarding existing structure details, Copy of Occupation Certificate (OC) issued by CIDCO vide letter dated 02.12.1994, is submitted by proponent. Existing residential building having BUA of 139.96 Sq m
6. FSI Details, As per the layout plan submitted by Project Proponent,
 - Total area of the plot = 555 Sq m
 - Permissible FSI = 1.5
 - Permissible BUA = 832.50 Sq m
 - Proposed BUA = 827.90 Sq m
 - Stilt Area = 226.96 Sq m
 - Total Construction Area = 1064.871 Sq m

The Authority noted that matter was discussed and deliberated in 82nd meeting of the MCZMA held on 10th June, 2013, wherein the proponent was directed to submit the CRZ map in 1:4000 scale superimposing the site under reference prepared by one of the agency authorized by the MoEF. The CRZ map should also show 150 m line from HTL. The project proponent (Shri. Rohidas S. Bhagat) submitted their reply dated 14.11.2013 alongwith CRZ map indicating 100m CRZ line from HTL of creek prepared by Institute of Remote Sensing, Chennai in 1: 4000 scale. As per the said map the plot under reference is partly affected by 100m CRZ line from the HTL of creek & it is beyond 50m mangroves buffer zone.


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Member Secretary, MCZMA

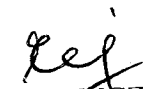
The Authority noted that the proposal is permissible as per para 8.II. CRZ II (iii) "Reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use"

After detailed discussion and deliberation, the Authority decided to get the clarification from the Urban Development Department and Navi Mumbai Corporation regarding permissible FSI for the project as per the town and country planning regulations existing and in force as on 19.2.1991.

Item No 42: Proposed construction on plot No. 50A, Sector 17, Kalamboli, Navi Mumbai

Project proponent presented the proposal before the Authority. The Authority noted the following:

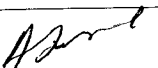
1. The City and Industrial Development Corporation of Maharashtra Ltd. (CIDCO) has forwarded the proposal for residential cum commercial building on Plot No. 50 A, Sector – 17, Kalamboli, Navi Mumbai, comprises of Ground + Upper 14th floors.
2. As per the City and Industrial Development Corporation of Maharashtra Lmt. (CIDCO),
 - As per the Development Plan of Navi Mumbai, the plot under reference is in residential cum commercial zone.
 - As per the Coastal Landuse Map of Navi Mumbai, the plot falls in CRZ II and situated on landward side of existing bund road as per the CRZ map prepared by IRS, Chennai.
 - The total area of plot is 3049.31.00sqmt
3. FSI Details, as per the layout plan submitted by the project proponent,
 - Total Area of Plot – 3049.31sqm
 - Permissible FSI – 1.5
 - Total permissible BUA – 4573.96sqm
 - Proposed BUA – 4573.96sqm
 - Total net BUA – 4551.007sqm
 - Balance area – 22.958sqm
 - FSI proposed to be consumed – 1.49
 - Total residential area – 3894.449sqm
 - Total commercial area – 656.558sqm
4. MCZMA vide letter dated 23.07.2013 had sought information on certain points from Chief Planner, CIDCO. The CIDCO has forwarded the reply vide letter dated 17.10.2013 to the points raised by MCZMA, which is as follows:


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Sr. No.	MCZMA query	Reply by CIDCO
1	Permissible FSI for the proposed construction as per town & country planning region as on 19.02.1991 & proposed FSI.	<p>The above plot falls under 12.5% scheme. The provision of 1.5 FSI in Navi Mumbai is application for the business and mercantile use with necessary residential use in commercial centres before CRZ notification dated 19th February, 1991. CIDCO interpreted the provision and it was made applicable to the R + C use plots since 1986.</p> <p>The FSI for all 12.5% plots is 1.5 with max 15% commercial use which is R+C use. In view of this, CIDCO has also requested the Government in UDD to consider its interpretation of FSI. Applicable to land allotted to PAPs under 12.5% scheme in CRZ II. This stand was communicated to the Govt. in 2003. The same has been reiterated in CIDCO recent letter addressed to the Govt. A copy of the letters dated 15.09.2013 & 11.06.2013 forwarded the Govt. is enclosed.</p>
2	The total BUA of proposed construction is different as per the layout plan submitted by the project proponent and as per the Area Statement.	As per the proposal submitted to CIDCO by the architect M/s Dimensions Architects Pvt. Ltd., the total BUA of proposed construction is 4551007sqm
3	Proposed construction is on vacant plot or by demolishing existing structure is need to be verified.	The proposed construction is on vacant plot.
4	Designated reservation, if any, as per development plan / regional plan as on 19.02.1991 and as per current prevailing development plan of	As on 19.02.1991 and as per current prevailing development plan, it falls in residential zone.


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	the area.	
5	Google image of site under reference.	Google image of site under reference is enclosed.

The Authority noted that the project proponent has submitted the CRZ map indicating 100m & 150m CRZ line from HTL of creek prepared by Institute of Remote Sensing, Chennai in 1: 4000 scale. As per the said map the plot under reference partly falls within 50m mangroves buffer zone & partly falls within 100m CRZ line from the HTL of creek.

Proponent informed that since, mangroves area is less than 1000 sqm, the buffer zone of 50 m from the mangrove area is not required.

However, the Authority observed that there are 2 CRZ maps on record, one map showing 50 m buffer zone line around mangroves and other CRZ map without 50 m mangroves buffer zone line. Authority felt that clarification regarding the same is required in the matter.


Proponent represented that 50 m mangroves buffer zone around mangroves area and FSI of 1 for the project is agreeable to them.

Further, the Authority decided to get the clarification from the Urban Development Department and Navi Mumbai Corporation regarding permissible FSI for the project as per the town and country planning regulations existing and in force as on 19.2.1991. The matter regarding the permission in the light of latest request of the proponent will be taken on receipt of the above.

Item No 43: WP No. 327 of 2013
Deepak Rao Vs the State of Maharashtra

The Authority noted the detailed background of the matter, which is as follows-

1. Deepak Rao has filed an Writ petition No. 327 of 2013 Versus the State of Maharashtra & ors. Petition pertains to proposal of Slum Rehabilitation Scheme situated at Mahim, Mumbai. Hon'ble High Court of Mumbai has passed an order dated November 25, 2013 and December 09, 2013 in WP NO. 327 of 2013 (Deepak Rao Vs the State of Maharashtra & Ors.)
2. As mentioned in the court order, Petitioner submitted that the land of the petitioner falls beyond 100 m. from the Mahim Bay and in view of the Notification dated 6.1.2011 which supersedes the old CRZ Notification dated 6.1.2011, the petitioner entitled to develop the said land and complete the scheme which is pending since 1991.


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3. Hon'ble High Court of Mumbai has passed an order dated November 25, 2013. The Hon'ble Court has directed

"MCZMA to take a decision one way or the other on merits and in accordance with law after going through the Notification. And the other relevant Notifications and after proper interpretation the work 'Bay'. The MCZMA to decide the said application filed by the petitioner and which has been kept pending, as expeditiously as possible and, in any case, within a period of 12 weeks from today. If any adverse is passed, the petitioner will be entitled to challenge the said order by amending the present petition. The Petitioners is at liberty to file an additional compilation of documents. Liberty is also given to the petitioner to file a copy of this petitioner as an additional compilation. Stand over to 3.3.2014"

The Authority in its 86th meeting held on 27th November, 2013 deliberated the said court order and took it on record. After deliberation, the Authority decided that proponent should submit the CRZ map in the 1:4000 scale demarcating HTL, LTL and CRZ areas prepared by one of the agencies authorized by MoEF, New Delhi. Further, it is decided that the issue of 'Bay' will be addressed on case to case basis as per the certification of MoEF authorized agency.

Proponent has submitted the CRZ map in the 1:4000 scale demarcating HTL, LTL and CRZ areas superimposing the site under reference, prepared by one of the agencies authorized by MoEF, New Delhi. Conclusion of the said report is - CRZ area shall be applied for the land / site within the 100 m buffer zone from HTL (Bay / creek) as per CRZ Notification, 2011. In this case, the project site under consideration does not fall within the 100 m buffer zone from HTL (Bay/ creek)

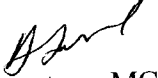
Further, the Authority observed that no clarification pertaining to demarcation of three CRZ lines from the HTL of Mahim 'Bay' is in the CRZ map received from the IRS, Chennai as requested by the MCZMA.

After detailed discussion and deliberations, the Authority decided that matter would be once again deliberated in the context of old approved CZMP & provisions of CRZ Notification, 2011, in the forthcoming MCZMA meeting.

Item No.44: Redevelopment of residential building "Sea Green" on property bearing CS 15/866 of Worli Division, Worli Sea Face, Mumbai.

The Authority noted that Sea Green Co-operative Hsg Society Ltd has filed a writ petition No. 1245 of 2013 Vs Union of India and others in Hon'ble High Court of Mumbai, wherein Maharashtra Coastal Zone Management Authority is Respondent No. 3. In the said matter, Hon'ble High Court has passed an order dated 18th December, 2013 directing MCZMA to decide on the petitioners representation dated 4th February, 2012 as expeditiously as possible and in any case by 31st January, 2014.

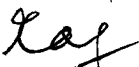

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Member Secretary, MCZMA

The Authority noted the detailed background of the matter, which was deliberated in 70th, 72nd, 75th and 77th meetings of MCZMA held on 1.7.2011, 4.11.2011, 15.5.2012, 9.10.2012. Further, the Authority took on record the petitioner's representation dated 4th February, 2012.

Sea Green representative presented their view in the matter. In the light of Petitioner's representation dated 4th February, 2012 & Sea Green Hsg Society's version in the matter, the Authority observed the following-

1. Site of M/s Sea Green Hsg. Society falls in CRZ II area and situated on landward side of existing Khan Abdul Gaffar Khan Road, as per approved CZMP of Mumbai. Project is of redevelopment of existing structures on plot under reference. Cost of the project was less than Rs. 5 Crores.
2. Urban Development Department vide letter dated 12th November, 1997 directed MCGM "to scrutinize the proposals as per MoEF Notification dated 19.2.1991 and subsequent letter dated 27.9.1996 and notification dated 9.7.1997. The development proposals within CRZ area in which investment exceeds rupees five Crores should only be referred to State Govt for clearance and other proposal should be cleared by the Corporation as per the approval of GoI, MoEF Notification and letter"
3. Pursuant to UDDs letter dated 12th November, 1997, the Municipal Corporation of Greater Mumbai approved the proposal from CRZ point of view and sanctioned the building plans in the year 2001 (scrutiny sheet of MCGM enclosed). Further, Intimation of Disapproval (IOD) dated 1st October 2001 bearing No. EEPBC/7950/GS/A/2001-2002 was issued for the redevelopment of Sea Green CHS, which is prior to 2002. As per MoEF's notification dated 4.1.2002, MCZMA was empowered to examine the CRZ proposals and give its recommendation.
4. As per the building plans approved in 2001 along with IOD, proposed building comprises of lower stilt + podium + 1 to 5 + 6 (pt) upper floors. FSI was 1.33 with construction area of 2224.09 sqm. & free of FSI of 234.37 sqm.
5. Subsequently, the building plans were amended in the year 2006, wherein, building plans comprised of lower stilt + upper stilt + 1 to 13 floor with construction area of 2205.87 sqm & free of FSI area for staircase, lift, lift lobby of 882.91 sqm. MCGM vide letter dated 27.2.2006 requested UDD to allow exclusion of area of staircase, lift, lobby from FSI. UDD vide letter dated 1st August 2006 had concurred to give area of staircase, lift, lift lobby as free of FSI. Commencement certificate was granted in 2006 by the MCGM.
6. Building plans were again amended in 2009 for lower + upper + 2nd stilt + 1 to 13 upper floors with Construction area - 2206.980 sqm. Free of FSI for staircase & lift area- 863.50 sqm


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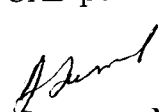
7. Building plans were again amended in 2010, wherein building comprises of lower stilt & upper stilt + 1 to 13 + 14 (pt) floors with construction area - 2210.23 sqm & free of FSI for staircase, lift, lift lobby s 896.68 sqm.
8. MCGM while sanctioning the amended plans in 2006, 2009 & 2010 taken the cognizance of CRZ rules and all the amended building plans are within permissible FSI - 1.33. However, area of staircase, lift, lift lobby - 896.68 sqm was taken free of FSI.
9. As per CRZ notification 1991, for development / redevelopment projects in CRZ area, FSI as per town and country planning regulation existing as on 19.2.1991 (for MCGM- DCR 1967) was applicable. As per DCR 1967, permissible FSI is 1.33 (including area of staircase, lift, lift lobby area).
10. When the plans were amended in 2006, 2009 & 2010, the MCZMA was the Authority empowered to examine the proposal & give its recommendation since 4.1.2002 as per MoEF's notification dated 4.1.2002. When the MoEF issued notification dated 22nd April 2003 about the jurisdiction of proposals based on investment criteria, MCZMA was authorised to examine the proposals, irrespective of investment of the proposals.
11. In the instant proposal, consumed FSI (1.32) is well within the permissible FSI - 1.33. However, area of staircase, lift area is taken as free of FSI. As per the present status, building has been completed as per amended plans of 2010. Free of FSI area granted in 2010 is 896.sqm. must have been counted in FSI.

In light of above, the Authority after detailed discussion and deliberation decided the following-

- a) MCGM had scrutinized the proposal of M/ s Sea Green from CRZ point of view and approved its building plans by allowing area of staircase, lift & lift lobby free of FSI by charging premium in the year 2001 (prior to 2002) for the construction area 2224.09 sqm. & free of FSI - 234.37 sqm, with FSI 1.33. According to the CRZ Notification 1991 free of FSI is 234.09 sqm should have been counted by MCGM in FSI as per applicable DCR 1967 as amended up to 19.2.1991. This is FSI violation.
- b) The plans got amended in 2006, 2009 & 2010 for the construction area - 2205.87 sqm & for free of FSI area - 882.91 sqm, Construction area - 2206.980 sqm & free of FSI area- 863.50 sqm, construction area - 2210.23 sqm & free of FSI area is 896.68 sqm. respectively, in which FSI component is same and within permissible limit i.e. 1.33. However, free of FSI is 896. 69 sqm, which should have been counted in FSI. MCZMA was competent Authority since 4.1. 2002 to examine the amended proposal in this case & give its recommendation, as per the MoEF's MCZMA constitution order dated 4.1.2002. Amended proposals in 2006, 2009 & 2010 were not appraised from CRZ point of view from competent Authority i.e. MCZMA.


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- c) In the light of a) & b) the matter is referred to MoEF for further appropriate decision.

Further, the Authority decided to inform the above decision of the MCZMA to Hon'ble High court of Mumbai, without waiting for the confirmation of minutes in the next MCZMA meeting.

Item No. 45: Proposed reconstruction of existing 'Sea Rock Hotel' on plot bearing CTS No. B/1150, B/1153, B/1155 and B/1156 at village Bandra

The Authority noted that Adv Sonia Raj Sood has filed recurrent complaints before MCZMA on 31.5.2013, 3.9.2013, 19.8.2013 and 9.9.2013 mainly alleging that FSI violation in the subject proposal. The complainant has requested for cancellation of illegal and arbitrary FSI granted by the Govt to the subject proposal.

The Authority further noted that Ministry of Environment and Forests, New Delhi had sent a letter no. F. No. 11-128/2008-IA.III dated 8th August, 2013 to MCZMA requesting to send a copy of the speaking order pertaining additional FSI of 3 by the UDD as per the rule 10.2 of DCR, 1967 and to examine the revised proposal under CRZ Notification, 2011. Further MoEF vide letter dated 29th November, 2013 requested proponent to submit recommendation from MCZMA under CRZ Notification, 2011.

Authority decided to examine the proposal as per the provisions of CRZ Notification, 2011 as well as issues of complaints in forthcoming meeting.

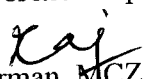
Item No. 46: Review of District Coastal Zone Monitoring Committee- Raigad District

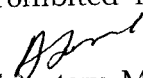
The Authority noted that in exercise of powers conferred under the provision 6 (C) of CRZ Notification, 2011; the Environment Dept, Govt. of Maharashtra has constituted the District Coastal Zone Monitoring Committee vide order dated 23.3.2011. The Collector of the district is the chairperson of the Committee.

Function of the committee includes the protection and conservation of coastal stretch of the district, identification of violation of CRZ rules, taking action against the violations, identify the ecological sensitive areas and formulate the plan for it etc.

The work of the Raigad, DCZMC is proposed to be reviewed. The District Collector or its Representative is requested to apprise the MCZMA for the functioning of DCZMC, Raigad.

Representative of Raigad, DCZMC informed that 47 CRZ violation cases have been filed, out of which, 37 cases were disposed of. Issue of sand mining in CRZ area was deliberated upon. As per CRZ Notification, 2011 sand mining is prohibited in CRZ


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area. The Authority directed DCZMC, Raigad to take immediate steps to stop sand mining in CRZ area.

Item No. 47: Error Evident on record cases.

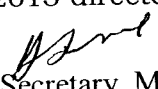
A. Plot bearing Survey No. 275 (pt) & CTS No. 657A & 1295 of Village Kanjur, Taluka Mulund, Dist. Mumbai Suburban.

As per the approved CZMP dated 19.1.2000, the land under reference is classified as CRZ-I (i). Proponent had claimed that the HTL demarcated by Chief Hydrographer was not proper as compared with the physical status on land under reference. Proponent got the CRZ survey done from the National Institute of Oceanography, which is one of the MoEF Authorized agencies. The NIO report, based on physical survey, concludes that the land can be classified as CRZ-II. MCZMA deliberated the matter in its 34th meeting held in the year 2006. As per the decision taken in the said meeting, MCZMA recommended the matter to MoEF. Further, NCZMA deliberated the matter in its 18th meeting held on 15.9.2009, wherein it was decided that MCZMA shall obtain the time series maps for the year 1998 to year 2006. MCZMA shall compare the time series maps of 1998 with latest map of 2006 and submit their report to NCZMA. Required maps for the period 1989-91, 1998 & latest for the year 2006 were obtained from SAC, Ahmadabad. MCZMA deliberated the matter in 62nd meeting held on 20th May, 2010 and sent the matter to MoEF.

Meanwhile, MoEF issued Office Memorandum (OM) dated 1.7.2011 & 8.8.2011 regarding reclassification of CRZ areas of CZMP approved in 1996 under the CRZ Notification, 1991. As per this OM, only those reclassification proposals which involve "Error evident on record" will be considered by MoEF, after recommendations from respective CZMA. Pursuant to said OM of MoEF, a multidisciplinary sub-committee comprising of members of MCZMA, officials of MCGM, District Collector, and Kharland dept etc was constituted for site visit. The committee also comprised of a third party expert agency IRS, Chennai. Subject site was visited by the sub-committee and IRS, Chennai submitted the report. As per the IRS, Chennai report, the site under reference has been classified as CRZ I in the approved CZMP as per CRZ 1991. However, area under nallas on East and West side of plot may be reclassified as CRZ I and buffer zone along the nallas of equal width may be classified as CRZ II. The rest of the area is not affected by CRZ.

The said report of IRS, Chennai was considered by MCZMA in its 74th meeting held on 23rd April, 2012 and recommended the proposal to MoEF vide letter dated 16.6.2012 for further appropriate decision on merit. During this 74th meeting, the MCZMA also noted that preparation of new CZMP of Maharashtra including entire coastal area of Mumbai is also under progress. Further, Authority also decided to bring this to the notice of MoEF / NCZMA that new CZMP is already in progress and MoEF can take this fact into consideration while taking a decision on reclassification of individual plots. Subsequently, MoEF vide letter dated July 31st, 2013 directed that


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MCZMA shall examine the cases and submit the proposal to NCZMA based on maps using the same basic imagery which were used for the preparation of CZMPs in 1996.

During the meeting, the project proponent made presentation of the matter before the Authority, which is as below:


- The approved CZMP shows the site as CRZ I (A) area i.e. mangroves area. The plot area is cultivated grassland and the plot is surrounded by developed roads on all four sides. Other vegetation and grass land has been shown as mangroves in the approved CZMP.
- The site under reference has been classified as CRZ I in the approved CZMP as per CRZ 1991. However- Area under nallas on East and West side of plot may be reclassified as CRZ I and buffer zone along the nallas of equal width may be classified as CRZ II. The rest of the area is not affected by CRZ.
- Approved CZMP ought to have shown correctly the site as 'habitation with vegetation' & 'other vegetation', instead of mangroves.

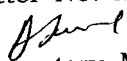
Taking into account the MoEF's letter dated July 31st, 2013 pertaining to error evident on record cases, the Authority examined the status of the site on coastal land use map of the area of the year 1989-91 and decided that the said site falls in CRZ area as per the coastal land use map of 1989-91 sent by SAC, Ahmadabad. Authority decided to report the matter to MoEF along with the above remarks.

B. Property bearing CTS No. 657-D & 657-C of Village Kanjur, 'S' Ward, Kanjur Marg (East), Mumbai from CRZ purview.

As per approved CZMP of Mumbai dated 19.1.2000 the subject site is CRZ I (A) area i.e. mangroves area & CRZ II. M/s. Particle Boards India Limited had requested MCZMA for reclassification. NIO, Goa has demarcated the HTL line and 10 m set back considering the average width of Nallah. Subject plot does not fall within the 10m set back. MCZMA deliberated the matter in its 51st meeting held on 24th April, 2009 and it decided to visit the site to verify /confirm the location of nallah vis-a vis subject plot. The Chairman (MCZMA), MS (MCZMA) and a retired Deputy Director, NIO and officials of MCGM visited the site on 9.5.2009 and found that there was nallah passing through the plot and the plot was not affected by CRZ Notification, 1991.

Further, the matter was deliberated in the 18th NCZMA meeting held on 15.9.2009 and it was decided that apparently the proposal was not for reclassification but for revision of CZMP. MCZMA was asked to submit the proposal within 3 months with full justification and reasons for revising the CZMP of area along with documents/ records of MCGM. MCZMA vide letter dated 21.11.2009 requested MCGM to submit the proposal of revision of CZMP for land under reference and abutting area along with full justification and documents / records. Chief Engineer (Development Plan), MCGM had submitted the reply in this matter vide letter dated 20th March 2010. The matter was considered by MCZMA in its 61st meeting held on 25th March 2010. MCZMA recommended the matter to MoEF vide letter No. MCZMA-


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2009/ CR-179/ TC-3 dated 22.04.2010 to MoEF for further necessary action in the matter.

Meanwhile, MoEF issued Office Memorandum (OM) dated 1.7.2011 & 8.8.2011 regarding reclassification of CRZ areas of CZMP approved in 1996 under the CRZ Notification, 1991. As per this Office Order, only those reclassification proposals which involve "Error evident on record" will be considered by MoEF, after recommendations from respective CZMA. Pursuant to said OM of MoEF, a multidisciplinary sub committee comprising of members of MCZMA, officials of MCGM, District Collector, and Kharland dept etc was constituted for site visit. The committee also comprised of a third party expert agency IRS, Chennai. Subject site was visited by the sub-committee and IRS, Chennai submitted the report. As per IRS, Chennai report dated 7.11.2012, the site is outside CRZ. Considering the decision taken in 74th meeting of MCZMA, MCZMA recommended the proposal to MoEF vide letter dated 16.6.2012. Subsequently, MoEF vide letter dated July 31, 2013 directed that MCZMA shall examine the cases and submit the proposal to NCZMA based on maps using the same basic imagery which was used for the preparation of CZMPs in the year 1996, as per Office Memorandum dated 8.8.2011.

During the meeting the project proponent made presentation of the matter before the Authority, which is as below:

- Approved CZMP shows the site as CRZ I (A) area i.e. mangroves area & CRZ II. However- SAC, time series map of 1989-91 clearly shows "Habitation" on site. As per NIO & IRS maps Site is Non CRZ.
- MCZMA along with IRS visited the site in 2011 & Concluded- "It is recommended that the plot bearing CTS No. 657-D and 657-C of village kanjur is out of CRZ." Therefore, Approved CZMP needs to be corrected in line with NIO & IRS CRZ map.

Taking into account the MoEF's letter dated July 31, 2013 pertaining to error evident on record cases, the Authority examined the status of the site on coastal land use map of the area of the year 1989-91 and decided that the said site falls in CRZ area as per the coastal land use map of 1989-91 sent by SAC, Ahmadabad. Authority decided to report the matter to MoEF along with the above remarks.

C. Land bearing S. No. 2 to 53 and others in Village Ranjnoli, Taluka Bhiwandi and correction in CRZ map accordingly by M/s. Ecohomes Constructions Pvt. Ltd.

As per the SAC map approved by MoEF on 27.9.1996, the site under reference falls in CRZ-I(i) and 100m/150m wide buffer zone from HTL. As per the directions of MCZMA proponent carried out CRZ survey from NIO, Goa, which is one of the MoEF Authorized agencies. As per the NIO report, the area proposed for development is not having any mangrove patches. From the processed LISS III imageries of 2000, 2002, 2004, 2006, 2008, 2009 also it is interpreted that the mangrove vegetation was not present, but the terrestrial vegetation like grass, paddy, etc is found. Fallow land is


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noticed in the study area. In this area, water is stagnated due to rains and creek. From the earlier maps, cattle grass may have been misinterpreted similar tonal in imageries of the area variations. As there is no mangrove, vegetation it is suggested that CRZ classification of this area may be reconsidered as CRZ-III.

The matter was placed in the 62nd meeting of MCZMA held on 20th May 2010 and it was decided to recommend the matter to the MoEF subject to the prior submission of 7/12 extract for the years 1991 to 2009 indicating past land-use on the site. MCZMA cross-verified the results of time series images from land revenue records for the years 1991 to 2009. As per the reports of Collector, District Thane and Director, Town Planning, the land under consideration was utilized for agriculture and under cultivation. Chairman (MCZMA) and members of the Authority carried out the site verification on 03.06.2010 and verified the facts reported by Revenue authorities and NIO, Goa. Considering all these points, Authority recommended the matter to MoEF vide letter dated 14.07.2010.

Meanwhile, MoEF issued Office Memorandum (OM) dated 1.7.2011 & 8.8.2011 regarding reclassification of CRZ areas of CZMP approved in 1996 under the CRZ Notification, 1991. As per this Office Order, only those reclassification proposals which involve "Error evident on record" will be considered by MoEF, after recommendations from respective CZMA. Pursuant to said OM of MoEF, a multidisciplinary sub committee comprising of members of MCZMA, officials of MCGM, District Collector, and Kharland dept etc was constituted for site visit. The committee also comprised of a third party expert agency IRS, Chennai. Subject site was visited by the sub-committee and IRS, Chennai submitted the report. As per IRS, Chennai report, the land under reference in village Ranjnoli falling within the buffer zone / setback line drawn from the creek (width of nalls) as shown in plan annexed to NIO report of Dec, 2009 demarcating the High Tide Line and prepared in 1:4000 scale is recommended for reclassification from CRZ I to CRZ III and the rest of the areas is free of CRZ. Considering the decision taken in 74th meeting of MCZMA, MCZMA recommended the proposal to MoEF vide letter dated 16.6.2012. Subsequently, MoEF vide letter dated July 31, 2013 directed that MCZMA shall examine the cases and submit the proposal to NCZMA based on maps using the same basic imagery which was used for the preparation of CZMPs in the year 1996, as per Office Memorandum dated 8.8.2011.

During the meeting the project proponent made presentation of the matter before the Authority, which is as below:

- As per the MCZMA & IRS jointly visited the site in 2011, "The land bearing survey No. 2 to 53 & ors in village Ranjnoli falling within the buffer zone / setback line drawn from the creek (width of nalls) as shown in plan annexed to NIO report of Dec, 2009 demarcating the High Tide Line and prepared in 1:4000 scale is recommended for reclassification from CRZ I to CRZ III and the rest of the areas is free of CRZ."


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- Approved CZMP of SAC ought to have indicated site as "other vegetation", "mudflat". Rock out crop" & "sparse mangroves", instead of only mangroves.
- CRZ area in SAC map, along creek ought to have restricted up-to 100 m or width of the creek-let whichever is less- CRZ – As per 1991 & 2011 rules
- Site falls partly in CRZ I, III and Non CRZ.

Taking into account the MoEF's letter dated July 31st, 2013 pertaining to error evident on record cases, the Authority examined the status of the site on coastal land use map of the area of the year 1989-91 and decided that the said site falls in CRZ area as per the coastal land use map of 1989-91 sent by SAC, Ahmedabad. Authority decided to report the matter to MoEF along with above remarks.

D. Land reserved for Bhiwandi Textile Park (by M/s. Yogi Realty Pvt. Ltd.) from CRZ classification, change in the CZMP.

As per the SAC map in the approved by MoEF on 27.9.1996, this land is covered under CRZ-I and is situated within 100-150 m from HTL. Urban Development Department had provided remarks in the matter. M/s Yogi Realty applied for the revision of approved CZMP for Bhiwandi Textile Park. The matter was considered in the 50th meeting of MCZMA held on 25th March 2009, wherein, the Project Proponent was directed to get the resurvey of the project site done from one of the MoEF authorized agencies. Proponent got the CRZ survey done from NIO, Goa. As per the NIO report, most of the proposed land facilities of the area is wet land that comprises of cattle grass field, paddy agriculture lands, urban lands. fallow land are noticed in the study area. In this area, water is stagnated due to rains and terrestrial run off through creek.

Authority recommended the matter to MoEF vide letter dated 12.07.2010. Meanwhile, MoEF issued Office Memorandum (OM) dated 1.7.2011 & 8.8.2011 regarding reclassification of CRZ areas of CZMP approved in 1996 under the CRZ Notification, 1991. As per this Office Order, only those reclassification proposals which involve "Error evident on record" will be considered by MoEF, after recommendations from respective CZMA. Pursuant to said OMs of MoEF, a multidisciplinary sub committee comprising of members of MCZMA, officials of MCGM, District Collector, and Kharland dept etc was constituted for site visit. The committee also comprised of a third party expert agency IRS, Chennai. Subject site was visited by the sub-committee and IRS, Chennai submitted the report. As per IRS, Chennai report, M/s Yogi Realty Private Limited is requested to submit the CRZ map of the area. On receipt of the CRZ map, the recommendation will be submitted. Considering the decision taken in 74th meeting of MCZMA, the proposal was recommended to MoEF vide letter dated 16.6.2012. Subsequently, MoEF vide letter dated July 31, 2013 directed that MCZMA shall examine the cases and submit the proposal to NCZMA based on maps using the same basic imagery which was used for the preparation of CZMPs in the year 1996, as per Office Memorandum dated 8.8.2011.


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Project proponent made presentation of the matter before the Authority, which is as below:

- IRS, Chennai along with MCZMA officials visited the site in 2011 and came to conclusion that M/s Yogi Realty Private Limited is requested to submit the CRZ map of the area. On receipt of the CRZ map, the recommendation will be submitted. M/s M/s Yogi Realty Private Limited has submitted CRZ map prepared by IRS, Chennai in 1:4000 scale which shows, site as CRZ I, III and Non CRZ.
- Approved CZMP of SAC ought to have indicated site as "Rock out crop", "mudflat", "Agricultural land" "sparse mangroves", & Other Vegetation", instead of only mangroves.
- CRZ area in SAC map, along creek ought to have restricted up-to 100 m or width of the creek-let whichever is less- CRZ - As per CRZ, 1991 & 2011 rules..
- Site falls partly in CRZ I, III and Non CRZ.

Taking into account the MoEF's letter dated July 31, 2013 pertaining to error evident on record cases, the Authority examined the status of the site on coastal land use map of the area of the year 1989-91 and decided that the said site falls in CRZ area as per the coastal land use map of 1989-91 sent by SAC, Ahemadabad. Authority decided to report the matter to MoEF along with above remarks.

Policy matter

50 m mangroves buffer zone area management policy

The Authority noted that as per para 7 of CRZ Notification, 2011:

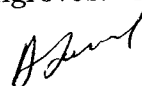
"Mangroves, in case mangroves area is more than 1000 sqm, a buffer of 50 m along with the mangroves shall be provided".

Authority observed that objective of above said provision is to protect existing mangroves. Authority has taken the cognizance of the various complaints of mangroves destruction/ degradation and also encroachment in the mangroves and its 50 m buffer zone area. This has been resulting as there is no specific policy to safeguard mangroves buffer zone in order to protect existing mangroves. At present mangroves buffer zone is kept open which leads to its encroachment by way of illegal dumping activity/ construction activity / slum development etc, which poses danger to existence of mangroves.

Authority opined that there should be a clear policy for positive management of 50 m mangrove buffer zone. In this regard, it was felt that if the 50 m mangrove buffer zone is maintained with green belt consisting of social forestry or gardens, it would serve as a barrier against its encroachment and will help in protection of mangroves. In this regard, the Authority resolved as follows:

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"A green belt shall be developed by the project proponent in the 50 m mangrove buffer zone for protection of existing mangroves from the hazards of development activities, illegal dumping, construction, encroachment etc. On government / public land adjoining the mangroves the buffer zone management should be taken up by concerned department or agency through development of green belt"

Authority decided to send above resolution to MoEF for confirmation and further guidance.

Regarding advertisement hoarding proposals in CRZ area:

The MCZMA has taken a policy decision in 72nd and amended in 79th meeting of MCZMA held on 4th November, 2011 and 5th January 2013 respectively, regarding the erection/ installation of Hoarding/ Advertising Structures in CRZ areas. As per the policy-

1. Erection or installation of hoardings/ boards in CRZ areas or structures in CRZ areas to be allowed only in CRZ II areas or landward of 200 meter setback line in CRZ III areas.
2. The hoarding in CRZ II area should be allowed only on landward side of existing road OR existing authorized structure OR within the periphery/ terrace/wall of existing authorized structure.
3. Project proponent should apply for CRZ recommendations with duly filled Form I, CZMP plan showing site under reference, DP remarks/sheet, Google image showing site under reference, site photographs and other supporting documents, if any.
4. No such activity to be allowed in CRZ I area and in No Development Zone areas of CRZ III.
5. No hoarding shall be installed in mangroves or the 50 mt buffer zone areas.
6. No trees should be cut / destroyed during the installation of Hoardings.
7. Every hoarding to be installed in CRZ area will have to display messages/ slogans/ quotes related to environmental and coastal conservation, education either given by the environment department/planning authority or developed by the hoarding owner in consultation with the Department. Appropriate place and area for the same shall be earmarked as per the size on the hoarding.
8. Hoarding owner/advertiser will have to pay Rs. 1 Lakh per hoarding as the Scrutiny fees.

MCZMA considered hoarding proposals in 72nd, 79th and 81st meeting as per the policy. Now, MCZMA has received following advertisement hoarding proposals.

The Authority after detailed discussion and deliberation decided the followings-


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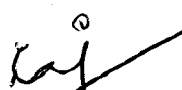

Member Secretary, MCZMA


1. Hoarding which are in existence prior to 19.2.1991 requires no approval from CRZ point of view.
2. No new hoardings shall be permitted henceforth.
3. Hoarding which have been granted CRZ recommendation earlier from MCZMA shall continue.

-----Meeting ended with vote of thanks to the Chair-----

Annexure- I

- 1) Dr. M. Baba, Expert Member, MCZMA
- 2) Dr. Mahesh Shindikar, Expert Member, MCZMA
- 3) Dr. Baban Ingole, Expert Member, MCZMA
- 4) Ajay T. Fulmali, Member Secretary, MCZMA


Chairman, MCZMA


Member Secretary, MCZMA